

## **Exhibit G**



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## STATEMENT OF ATTORNEY GENERAL JOHN ASHCROFT ON THE GUILTY PLEA OF ENAAM ARNAOUT:

**WASHINGTON, D.C.** -- "Enaam Arnaout operated the Benevolence International Foundation, Inc. (BIF) as a scheme to use fraudulently the charitable contributions of Muslim-Americans, U.S. corporations, and other donors to support violence overseas. With today's plea agreement the government has secured the cooperation of Arnaout in its critical investigation into the funding of violent acts overseas. The guilty plea also makes clear we will prosecute and imprison those who would exploit the generosity of charitable donors to provide financing for violence overseas. We will shut down terrorist funding sources. We will ensure that terrorist sympathizers who fund violence or terrorism meet swift, certain justice.

"Arnaout defrauded donors by using their money to fund Jihad fighters in Chechnya and Bosnia. He provided fighters with anti-mine boots, uniforms, tents and even an ambulance. All of these were purchased with funds that donors thought were going for peaceful purposes.

"While Mr. Arnaout has not admitted to supporting al Qaeda in this plea agreement, the government stands strongly behind those allegations. We are prepared to prove that he did support al Qaeda when that issue is addressed at sentencing.

"I commend the U.S. Attorney's Office for the Northern District of Illinois for securing today's guilty plea and cooperation agreement, and for vindicating the interests of honest humanitarian donors."

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03-083

## **Exhibit H**

U. S. Department of Justice



*United States Attorney  
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FOR IMMEDIATE RELEASE  
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**BENEVOLENCE DIRECTOR PLEADS GUILTY TO RACKETEERING CONSPIRACY AND AGREES TO COOPERATE WITH THE GOVERNMENT**

CHICAGO – The executive director of Benevolence International Foundation, Inc. (BIF), a purported charitable organization based in south suburban Chicago, pleaded guilty today to racketeering conspiracy, admitting that he fraudulently obtained charitable donations in order to provide financial assistance to persons engaged in violent activities overseas, the Justice Department announced. **Enaam M. Arnaout**, 41, of Justice, Ill., a Syrian-born naturalized U.S. citizen, admitted that for approximately a decade the Benevolence International Foundation was defrauding donors by leading them to believe that all donations were strictly being used for peaceful, humanitarian purposes while a material amount of the funds were diverted to fighters overseas. Arnaout specifically admitted providing items to fighters in Chechnya and Bosnia. Arnaout, who was scheduled to stand trial beginning today, also agreed to cooperate with the government in its continuing investigations.

Arnaout, also known as “Abu Mahmoud,” “Abu Mahmoud al Suri,” “Abu Mahmoud al Hamawi,” and “Abdel Samia,” faces a maximum sentence of imprisonment of 20 years without parole, as well as a maximum fine of \$250,000 or twice the gross loss as a result of his frauds, and

a mandatory order of restitution to the defrauded donors. U.S. District Judge Suzanne B. Conlon, scheduled sentencing status hearing for March 10 in U.S. District Court in Chicago.

In announcing the guilty plea, Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, said: "We are gratified that today's plea vindicates the Government's claim that Arnaout and BIF were victimizing well-intentioned donors. The government's investigation has always sought to vindicate the donors who gave money in good faith in an effort to serve peaceful, humanitarian concerns when instead violence was being funded. Many of the victim donors were law-abiding Muslims who were obligated by Islamic principles to donate to charity. By today's turn of events, the defendant has publicly admitted that this fraud occurred and has agreed to cooperate with the government's continuing investigations. We are confident that if the defendant follows through on his commitment to cooperate truthfully that today's guilty plea will be a beginning, not an end, of a sustained effort to make sure that violence overseas is not funded from Chicago."

According to the plea agreement, Arnaout admitted that Adel Batterjee and others incorporated Benevolence International Foundation, referred to in Arabic as "*Al Birr al Dawalia*," in the United States in 1992, and then received status as a tax-exempt charitable organization from the Internal Revenue Service in March 1993. Beginning in about May 1993, Arnaout became responsible for and directed BIF's operations in the United States, including subsequently opening various offices abroad, including in Pakistan, Bosnia-Herzegovina and Azerbaijan.

In the plea agreement, Arnaout further admitted that starting in May 1993, BIF solicited donations from the public by purporting that BIF and its related overseas offices was a charitable organization involved solely in humanitarian work for the benefit of civilian populations, including refugees and orphans, with a small amount being used for administrative expenses. Arnaout and

others agreed to conceal from donors, potential donors, and federal and state governments in the United States that a material portion of the donations received by BIF, based on BIF's misleading representations, was being used to support fighters overseas. Arnaout admitted that the support he and others agreed to provide included: boots intended for ultimate use by fighters in Chechnya; and boots, tents, uniforms and an ambulance intended for ultimate use by soldiers in Bosnia-Herzegovina. He also admitted that he used donor funds to purchase uniforms for a department of a provisional, but unrecognized government, in Chechnya despite representations otherwise to donors.

Arnaout admitted that he and others agreed to use the U.S. mail to distribute from Palos Hills, Ill., the multiple, misleading solicitations described above, and to cause the use of the mail to receive donations from misled donors. He admitted that he and others agreed to cause to be transmitted multiple monetary donations from misled donors to BIF's bank accounts by wire in interstate and foreign commerce.

This case first became a public matter on December 14, 2001, when searches were conducted of BIF offices in Palos Hills, and Newark, N.J., as well as at Arnaout's home. Also that day, pursuant to the International Emergency Economic Powers Act and an Executive Order, the Treasury Department's Office of Foreign Asset Control issued an order blocking BIF's assets and records pending further investigation into BIF's ties to terrorists. On Jan. 30, 2002, BIF filed a lawsuit, Benevolence International Foundation, Inc. v. Ashcroft, et al., 02 C 763 (N.D. Ill.), and in March 2002 BIF requested a preliminary injunction seeking the return of its seized or blocked property and to void the OFAC blocking order. Attached to BIF's pleadings was a Declaration of

Enaam Arnaout, dated March 22, 2002, which was followed a short time later by a "Corrected Declaration of Enaam Arnaout," dated April 1, 2002.

In that complaint Arnaout falsely stated under oath that:

"... BIF has never provided aid or support to people or organizations known to be engaged in violence, terrorist activities, or military operations of any nature. BIF abhors terrorism and all forms of violence against human beings.

. . .  
I have no idea or understanding as to why the government has taken these actions [blocking of assets] against BIF."

The case came full circle today when Arnaout admitted by his plea that, in fact, donors were defrauded.

Mr. Fitzgerald was joined in announcing the guilty plea by Thomas J. Kneir, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation, and James W. Martin, Special Agent-in-Charge of the Internal Revenue Service Criminal Investigation Division. The investigation is continuing, they said. Mr. Fitzgerald also commended the diligent efforts of the members of the FBI's Joint Terrorist Task Force who worked with a team of IRS agent to bring this case to a successful conclusion.

The government is represented by U.S. Attorney Patrick J. Fitzgerald and Assistant U.S. Attorneys John Kocoras and Deborah Steiner.

# # # #

## **Exhibit I**

# CRS Report for Congress

Received through the CRS Web

## Afghanistan: Post-War Governance, Security, and U.S. Policy

Updated June 15, 2004

Kenneth Katzman  
Specialist in Middle Eastern Affairs  
Foreign Affairs, Defense, and Trade Division

## Afghanistan: Post-War Governance, Security, and U.S. Policy

### Summary

Afghanistan is a fragile state that appears to be gradually stabilizing after more than 22 years of warfare, including a U.S.-led war that brought the current government to power. Before the U.S. military campaign against the Taliban began on October 7, 2001, Afghanistan had been mired in conflict since the Soviet invasion of Afghanistan in 1979. The Taliban ruled most of Afghanistan from 1996 until its collapse in December 2001 at the hands of a U.S.-led military campaign.

Since the defeat of the Taliban, Afghanistan no longer serves as a base of operations for Al Qaeda. Afghan citizens are enjoying new personal freedoms that were forbidden under the Taliban, about 2.5 million Afghan refugees have returned, and women have returned to schools, the workforce, and some participation in politics. Although with some difficulty, political reconstruction is following the route laid out by major Afghan factions and the international community during the U.S.-led war. A *loya jirga* (traditional Afghan assembly) adopted a new constitution on January 4, 2004, with some minor changes. Presidential and parliamentary elections were to be held by June 2004, although Afghan leaders now say the elections will be postponed until September 2004. At the same time, an ongoing insurgency by Taliban remnants, particularly in the Taliban's former power base in the southeast, has created a perception of insecurity and slowed reconstruction. Other major problems include continued exercise of authority by regional leaders and growing trafficking in narcotics.

On May 1, 2003, the United States and the Afghan government declared major U.S.-led combat ended and asserted that U.S.-led forces would henceforth concentrate on stabilization. U.S. stabilization measures focus on strengthening the central government, which has been widely viewed as weak and unable to control many regional and factional leaders. The United States and other countries are building an Afghan National Army; deploying a multinational International Security Assistance Force (ISAF) to patrol Kabul and other cities; setting up regional enclaves to create secure conditions for reconstruction (Provincial Reconstruction Teams, PRTs), and disarming militia fighters. To foster reconstruction, the United States is giving Afghanistan a total of about \$1.6 billion for FY2004, most of which (\$1.2 billion) was provided in a supplemental appropriation (P.L. 108-106). The United Nations and the Bush Administration have lifted sanctions imposed on Afghanistan during Taliban rule.

This paper will be updated as warranted by major developments.

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# Afghanistan: Post-War Governance, Security, and U.S. Policy

## Background to Recent Developments

Afghanistan became unstable in the 1970s as both its Communist Party and its Islamic movement grew in strength and became increasingly bitter opponents of each other.<sup>1</sup> The instability shattered the relative peace and progress that characterized the rule of King Mohammad Zahir Shah, who reigned during 1933 - 1973. Zahir Shah was the last King in Afghanistan's monarchy, which was founded in 1747 by Ahmad Shah Durrani. Prior to the founding of the monarchy, Afghanistan did not exist as a distinct political entity, but was a territory inhabited by tribes and tribal confederations often linked to neighboring nations. Zahir Shah was the only surviving son of King Mohammad Nadir Shah (1929-1933), whose rule followed that of King Amanullah Khan (1919-1929), after a brief rule in 1919 by a Tajik strongman named Bacha-i-Saqqa. King Amanullah Khan launched attacks on British forces in Afghanistan shortly after taking power and won complete independence from Britain as recognized in the Treaty of Rawalpindi (August 8, 1919). He was considered a secular modernizer and who presided over a government in which all ethnic minorities participated.

Zahir Shah is remembered fondly by many older Afghans for promulgating a constitution in 1964 that established a national legislature and promoting freedoms for women, including freeing them from covering their face and hair. However, possibly believing that doing so would enable him to limit Soviet support for communist factions in Afghanistan, Zahir Shah also entered into a significant political and arms purchase relationship with the Soviet Union.

While undergoing medical treatment in Italy, Zahir Shah was overthrown by his cousin, Mohammad Daoud, a military leader. Daoud established a dictatorship characterized by strong state control over the economy. After taking power in 1978 by overthrowing Daoud, the communists, first under Nur Mohammad Taraki and then under Hafizullah Amin (leader of a rival communist faction who overthrew Taraki in 1979), attempted to impose radical socialist change on a traditional society. The communists tried to redistribute land and bring more women into government positions. These moves spurred recruitment for Islamic parties and their militias opposed to communist ideology. The Soviet Union sent troops into Afghanistan on December 27, 1979 to prevent a seizure of power by the Islamic militias that

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<sup>1</sup> For more information, see CRS Report RL31759, *Reconstruction Assistance in Afghanistan: Goals, Priorities, and Issues for Congress*.

became popularly known as “mujahedin”<sup>2</sup> (Islamic fighters). Upon their invasion, the Soviets ousted Hafizullah Amin and installed a local ally, Babrak Karmal, as Afghan president.

After the Soviets occupied Afghanistan, the U.S.-backed *mujahedin* fought them effectively, and Soviet occupation forces were never able to pacify all areas of the country. The Soviets held major cities, but the outlying mountainous regions remained largely under *mujahedin* control. The *mujahedin* benefitted from U.S. weapons and assistance, provided through the Central Intelligence Agency (CIA), working closely with Pakistan’s Inter-Service Intelligence directorate (ISI). That weaponry included man-portable shoulder-fired anti-aircraft systems called “Stingers,” which proved highly effective against Soviet aircraft. The Islamic guerrillas also hid and stored weaponry in a large network of natural and manmade tunnels and caves throughout Afghanistan. The Soviet Union’s losses mounted, and Soviet domestic opinion shifted against the war. In 1986, after the reformist Mikhail Gorbachev became leader of the Soviet Union — and perhaps in an effort to signal some flexibility on a possible political settlement — the Soviets replaced Babrak Karmal with the more pliable director of Afghan intelligence (Khad), Najibullah Ahmedzai (who went by the name Najibullah or, on some occasions, the abbreviated Najib).

On April 14, 1988, Gorbachev agreed to a U.N.-brokered accord (the Geneva Accords) requiring it to withdraw. The Soviet Union completed the withdrawal on February 15, 1989, leaving in place a weak communist government facing a determined U.S.-backed *mujahedin*. The United States closed its embassy in Kabul in January 1989, as the Soviet Union was completing its pullout. A warming of superpower relations moved the United States and Soviet Union to try for a political settlement to the Afghan internal conflict. The failed August 1991 coup in the Soviet Union, and its aftermath, reduced Moscow’s capability for supporting communist regimes in the Third World, leading Moscow to agree with Washington on September 13, 1991, to a joint cutoff of military aid to the Afghan combatants.

The State Department has said that a total of about \$3 billion in economic and covert military assistance was provided by the U.S. to the Afghan *mujahedin* from 1980 until the end of the Soviet occupation of Afghanistan in 1989. Press reports and independent experts believe the covert aid program grew from about \$20 million per year in FY1980 to about \$300 million per year during fiscal years 1986 - 1990. Even before the 1991 U.S.-Soviet agreement on Afghanistan, the Soviet withdrawal had decreased the strategic and political value of Afghanistan and made the Administration and Congress less forthcoming with funding. For FY1991, Congress reportedly cut covert aid appropriations to the *mujahedin* from \$300 million the previous year to \$250 million, with half the aid withheld until the second half of the fiscal year. Although the intelligence authorization bill was not signed until late 1991, Congress abided by the aid figures contained in the bill.<sup>3</sup>

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<sup>2</sup> The term refers to an Islamic guerrilla; literally “one who fights in the cause of Islam.”

<sup>3</sup> See “Country Fact Sheet: Afghanistan,” in *U.S. Department of State Dispatch*. Volume 5, No. 23, June 6, 1994. Page 377.

### Afghanistan at a Glance

Population:	27.7 million (July 2002 est.)
Ethnic Groups:	Pashtun 44%; Tajik 25%; Uzbek 8%; Hazara 10%; others 13%
Religions:	Sunni Muslim 84%; Shiite Muslim 15%; other 1%
GDP Per Capita:	\$800/yr
External Debt:	\$5.5 billion (1996 est.)
Major Exports:	fruits, nuts, carpets, semi-precious gems
Major Imports:	food, petroleum, capital goods

**Source:** CIA World Factbook, 2002.

With Soviet backing withdrawn, on March 18, 1992, Afghan President Najibullah publicly agreed to step down once an interim government was formed. His announcement set off a wave of regime defections, primarily by Uzbek and Tajik militia commanders who were nominally his allies, including Uzbek commander Abdul Rashid Dostam (see below).

Joining with the defectors, prominent *mujahedin* commander Ahmad Shah Masud (of the Islamic Society, a largely Tajik party headed by Burhannudin Rabbani) sent his fighters into Kabul, paving the way for the installation of a regime led by the *mujahedin* on April 18, 1992. Masud had earned a reputation as a brilliant strategist by successfully preventing the Soviets from occupying his power base in the Panjshir Valley of northeastern Afghanistan. After failing to flee, Najibullah, his brother, and a few aides remained at a U.N. facility in Kabul until the Taliban movement later seized control and hanged them.

The fall of Najibullah brought the *mujahedin* parties to power in Afghanistan but also exposed the serious differences among them. Islamic scholar Sibghatullah Mojadeddi became president for an initial two months (April - May 1992). Under an agreement among all the major *mujahedin* parties, Burhannudin Rabbani became President in June 1992, with the understanding that he would leave office in December 1994. He refused to step down at the end of that time period, maintaining that political authority would disintegrate in the absence of a clear successor, but the other parties accused him of monopolizing power. His government subsequently faced daily shelling from another *mujahedin* commander, Gulbuddin Hikmatyar, who was nominally prime minister but never formally took office. Hikmatyar headed a strongly fundamentalist faction of Hizb-e-Islami (Islamic Party) and reportedly received a large proportion of the U.S. covert aid during the war against the Soviet Union. Four years (1992-1996) of civil war among the *mujahedin* destroyed much of Kabul and created popular support for the Taliban. (Hikmatyar was later ousted by the Taliban from his powerbase around Jalalabad despite sharing the Taliban's ideology and Pashtun ethnicity, and he fled to Iran before returning to Afghanistan in early 2002. He is now allied with Taliban and Al Qaeda remnants.)

## The Rise of The Taliban <sup>4</sup>

The Taliban movement was formed in 1993-1994 by Afghan Islamic clerics and students, many of them former *mujahedin* who had become disillusioned with continued internal conflict among *mujahedin* parties and who moved into the western areas of Pakistan to study in Islamic seminaries (“madrassas”). They were mostly ultra-orthodox Sunni Muslims who practice a form of Islam, “Wahhabism,” similar to that practiced in Saudi Arabia. The Taliban was composed overwhelmingly of ethnic Pashtuns (Pathans) from rural areas of Afghanistan. Pashtuns constitute a plurality in Afghanistan, accounting for about 44% of Afghanistan’s population of about 28 million. Taliban members viewed the Rabbani government as corrupt, responsible for continued civil war and the deterioration of security in the major cities, and discriminating against Pashtuns. With the help of defections by sympathetic *mujahedin* fighters, the Taliban seized control of the southeastern city of Qandahar in November 1994, and continued to gather strength. By February 1995, it had reached the gates of Kabul, after which an 18-month stalemate around the capital ensued. In September 1995, the Taliban captured Herat province, on the border with Iran, and expelled the governor of the province, Ismail Khan. In September 1996, a string of Taliban victories east of Kabul led to the withdrawal of the Rabbani government to the Panjshir Valley north of Kabul with most of its heavy weapons; the Taliban took control of Kabul on September 27, 1996.

The Taliban lost much of its international support as its policies unfolded. It imposed strict adherence to Islamic customs in areas it controls, and employed harsh punishments, including executions. The Taliban regime made extensive use of its Ministry for the Promotion of Virtue and the Suppression of Vice, a force of religious police officers that often used violence and physical punishments to enforce Islamic laws and customs, as well as a ban on television, popular music, and dancing. During Taliban rule, women were prohibited from attending school or working outside the home, except in health care.

During the Taliban period, several U.N. Security Council resolutions, including 1193 (August 28, 1998) and 1214 (December 8, 1998), urged the Taliban to end discrimination against women. During a November 1997 visit to Pakistan, then Secretary of State Madeleine Albright attacked Taliban policies as despicable and intolerable. U.S. women’s rights groups, including the Feminist Majority and the National Organization for Women (NOW), mobilized to stop the Clinton Administration from recognizing the Taliban government. On May 5, 1999, the Senate passed S.Res. 68, a resolution calling on the President not to recognize any Afghan government that discriminates against women.

In what most observers considered an extreme action, in March 2001 the Taliban ordered the destruction of two large Buddha statues, dating to the seventh century. Some experts believe the move was a reaction to U.N. sanctions imposed in December 2000 (see below), and it provoked widespread condemnation of the Taliban, even among other Islamic states, including Pakistan. Some international

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<sup>4</sup> For an in-depth study of the Taliban and its rule, see Rashid, Ahmad. *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia*. Yale University Press, 2000.

groups are looking at the possibility of rebuilding the statues, although at least one group has said doing so will be extremely difficult technically.

**Taliban Leadership/Post-War Fate.** During the war against the Soviet occupation of Afghanistan, Taliban founder Mullah (Afghan Sunni Muslim cleric) Muhammad Umar fought in the Hizb-e-Islam (Islamic Party) mujahedin party led by Yunis Khalis. During Taliban rule, Umar held the title of Head of State and Commander of the Faithful. He lost an eye during the anti-Soviet war, rarely appeared in public, and did not take an active role in the day-to-day affairs of governing. However, in times of crisis or to discuss pressing issues, he summoned Taliban leaders to meet with him in Qandahar. Considered a hardliner within the Taliban regime, Mullah Umar forged a close personal bond with bin Laden and was adamantly opposed to meeting U.S. demands to hand him over to face justice. Born in Uruzgan province, Umar is about 57 years old. His ten year old son, as well as his stepfather, reportedly died at the hands of U.S. airstrikes in early October 2001. Umar reportedly fled Qandahar city when the Taliban surrendered the city on December 9, 2001. He is still at large and reportedly continues to meet with Taliban insurgent commanders.

## Clinton Administration Relations With the Taliban

The Clinton Administration diplomatically engaged the Taliban movement as it was gathering strength, but U.S. relations with the Taliban deteriorated sharply during the five years that the Taliban were in power in Kabul, to the point where the United States and the Taliban were largely adversaries well before the September 11, 2001 attacks. The United States withheld recognition of Taliban as the legitimate government of Afghanistan, formally recognizing no faction as the government. Because of the lack of broad international recognition of Taliban, the United Nations seated representatives of the Rabbani government, not the Taliban. The State Department ordered the Afghan embassy in Washington, D.C., closed in August 1997 because of a power struggle within it between Rabbani and Taliban supporters. Despite the deterioration, Clinton Administration officials met periodically with Taliban officials to stress U.S. concerns and opposition to Taliban policies.

Well before the September 11, 2001, attacks, the Taliban's alliance with Al Qaeda leader Osama bin Laden had become the Clinton Administration's overriding bilateral agenda item in policy toward Afghanistan.<sup>5</sup> After the August 7, 1998, Al Qaeda bombings of the U.S. embassies in Kenya and Tanzania, the Clinton Administration placed progressively more pressure on the Taliban to extradite bin Laden, adding sanctions, some military action, reported covert intelligence operations, and the threat of further punishments to ongoing diplomatic efforts. Clinton Administration officials say that they did not take major action to oust the Taliban from power - either through direct U.S. military action or by providing

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<sup>5</sup> For more information on bin Laden and his Al Qaeda organization, see CRS Report RL31119, *Terrorism: Near Eastern Groups and State Sponsors, 2001*, September 10, 2001. See also CRS Report RS20411, *Afghanistan: Connections to Islamic Movements in Central and South Asia and Southern Russia*.

military aid to Taliban opponents in Afghanistan — because domestic U.S. support for those steps was lacking at that time.

- During an April 1998 visit to Afghanistan, U.S. Ambassador to the United Nations Bill Richardson asked the Taliban to hand bin Laden over to U.S. authorities, but he was rebuffed.
- On August 20, 1998, the United States fired cruise missiles at alleged bin Laden-controlled terrorist training camps in retaliation for the embassy bombings in Kenya and Tanzania.
- On July 4, 1999, because of the Taliban's hosting of bin Laden, President Clinton issued Executive Order 13129, imposing a ban on U.S. trade with Taliban-controlled portions of Afghanistan and blocking Taliban assets in U.S. financial institutions. However, Afghanistan was not named a state sponsor of terrorism on the grounds that doing so would imply recognition of the Taliban.
- On October 15, 1999, with Russian support, the United States achieved adoption of U.N. Security Council Resolution 1267, a U.N. resolution sanctioning the Taliban regime. It banned flights outside Afghanistan by Ariana airlines, and directed U.N. member states to freeze Taliban assets.
- On December 19, 2000, the United States and Russia achieved U.N. Security Council adoption of Resolution 1333, a follow-on to Resolution 1267. The new provisions of 1333 were a worldwide prohibition against the provision of arms or military advice to the Taliban (directed against Pakistan); a reduction of Taliban diplomatic representation abroad; and a ban on foreign travel by senior Taliban officials. On July 30, 2001, the Security Council adopted Resolution 1363, providing for the stationing of monitors in Pakistan to ensure that no weapons or military advice was being provided to the Taliban. (In the aftermath of the Taliban's ouster from power, these provisions were narrowed to focus on Al Qaeda, and not the Taliban, by U.N. Security Council Resolution 1390 of January 17, 2002.)

## **Coalescence of the “Northern Alliance”**

The Taliban's imposition of puritanical Islamic rule, and its alliance with bin Laden, not only alienated the United States but caused other Afghan power centers to make common cause with the ousted President Rabbani and Ahmad Shah Masud. These groups became a “Northern Alliance” shortly after Kabul fell to the Taliban in 1996. The Persian-speaking, mainly ethnic Tajik core of the Alliance was located not only in the Panjshir Valley of the northeast but also in western Afghanistan near the Iranian border. Those in the west were led by Ismail Khan, who regained the governorship of his former stronghold in and around Herat after the Taliban collapse of November 2001. Prior to the September 11, 2001 attacks, the Clinton and Bush Administrations did not judge the Northern Alliance sufficiently capable or

compatible with U.S. values to merit U.S. military assistance, although some experts believed that the United States should have aligned itself with the Northern Alliance well before September 11. Various components of the Alliance other than the previously-discussed Islamic Society/Tajik core of the grouping are analyzed below.

**General Dostam/Mazar-e-Sharif.** One non-Tajik component of the Northern Alliance was the ethnic Uzbek militia force (the Junbush-Melli, or National Islamic Movement of Afghanistan) of General Abdul Rashid Dostam. Uzbeks constitute about 8% of the population, compared with 25% that are Tajik. Dostam, best known for his 1992 break with Najibullah that led to Najibullah's overthrow that year, subsequently fought against Rabbani during the latter's presidency in an effort to persuade him to yield power, but joined the Northern Alliance after the Taliban took power in Kabul. Dostam once commanded about 25,000 troops, significant amounts of armor and combat aircraft, and even some Scud missiles, but infighting within his faction left him unable to hold off Taliban forces. The Taliban captured Dostam's northern power base in August 1998, leaving him in control of only small areas of northern Afghanistan near the border with Uzbekistan.

During the U.S.-led war against the Taliban, Dostam, in concert with a Tajik commander Atta Mohammad and a Shiite Hazara commander Mohammad Mohaqiq, recaptured the key northern city of Mazar-e-Sharif from the Taliban. There have been tensions among the three in governing the city and its environs since, often resulting in minor clashes, most recently in October 2003, in which both sides reportedly used heavy weaponry such as tanks. The clashes, over issues such as revenues and areas of control, often have necessitated mediation by U.S. and U.N. personnel in Afghanistan (UNAMA, U.N. Assistance Mission in Afghanistan). Under an agreement among the factions, Atta Mohammad has begun giving his heavy weapons to British forces in Mazar-e-Sharif, and Dostam has transferred some of his heavy weapons as well. However, observers in Mazar-e-Sharif have said that Dostam is surrendering his heavy weapons more slowly than agreed, and that the weapons he has handed in have been mostly non-operational. Dostam is said by observers to be concerned that he and his Uzbek constituents could be vulnerable if Dostam handed in all his best weaponry while rival factions remain armed or are able to call in nearby allies. Atta Mohammad, for example, is said to be close to Defense Minister/Northern Alliance military commander Mohammad Fahim.

**Hazara Shiites.** Shiite Muslim parties composed mainly of members of Hazara tribes were generally less active against the Soviet occupation than were the Sunni parties. The Shiites, who are prominent in central Afghanistan, particularly Bamiyan Province, were part of the Northern Alliance as well. The main Shiite Muslim party is Hizb-e-Wahdat (Unity Party, an alliance of eight Hazara tribe Shiite Muslim groups), which joined Rabbani's 1992-1996 government in exchange for a share of power. Hizb-e-Wahdat has traditionally received some material support from Iran, whose population practices Shiite Islam. Hizb-e-Wahdat forces occasionally retook Bamiyan city from the Taliban, but they did not hold it until the Taliban collapsed in November 2001.

**Sayyaf.** Another mujahedin party leader, Abd-i-Rab Rasul Sayyaf, heads a Pashtun-dominated faction called the Islamic Union for the Liberation of Afghanistan. Sayyaf lived many years in and is politically close to Saudi Arabia,

which shares his orthodox interpretation of Sunni Islam (“Wahhabism”). During the U.S.-backed war against the Soviet occupation of Afghanistan, Sayyaf’s faction of *mujahedin*, along with those of Hikmatyar, were the principal recipients of U.S.-supplied weaponry. Both Sayyaf and Hikmatyar criticized the U.S.-led war against Saddam Hussein after Iraq’s 1990 invasion of Kuwait. The Wahhabism of Sayyaf’s movement was shared by the Taliban, which partly explains why many of Sayyaf’s fighters defected to the Taliban movement when that movement was taking power. Despite the ideological similarity with the Taliban, Sayyaf joined the Northern Alliance against the Taliban. Currently, Sayyaf is considered personally close to Rabbani and is reputedly maneuvering in concert with Rabbani to limit President Karzai’s authority and for possible future leadership roles.

## **Bush Administration Policy Pre-September 11, 2001**

Bush Administration policy prior to the September 11, 2001 attacks did not much differ from Clinton Administration policy. The Bush Administration continued to apply pressure short of military action against the Taliban, while retaining some dialogue with the Taliban regime. The Bush Administration did not arm the Northern Alliance or other anti-Taliban groups prior to the September 11 attacks, although the Administration did step up engagement with Pakistan, in part to try to persuade Pakistan to curtail its support of the Taliban. In compliance with U.N. Security Council Resolution 1333, in February 2001 the State Department ordered the closing of a Taliban representative office in New York. The Taliban complied with the directive, but its representative, Abdul Hakim Mujahid, continued to operate informally. In March 2001, Bush Administration officials received a Taliban envoy, Rahmatullah Hashemi, to discuss bilateral issues. Three U.S. diplomats visited Afghanistan in April 2001, although the purpose of the visit was described as limited to assessing humanitarian needs. The contacts did not yield progress on obtaining extradition of bin Laden, and press reports in May 2002 said the Bush Administration was considering, prior to the September 11 attacks, plans to destabilize the Taliban.<sup>6</sup>

As did the executive branch, Congress became increasingly critical of the Taliban. A sense of the Senate resolution (S.Res. 275) that resolving the Afghan civil war should be a top U.S. priority passed that chamber by unanimous consent on September 24, 1996. A similar resolution, H.Con.Res. 218, passed the House on April 28, 1998.

## **September 11 Attacks and Operation Enduring Freedom**

The political rivalries among opposition groups hindered their ability to shake the Taliban’s grip on power. Since losing Kabul in 1996, the Northern Alliance had steadily lost ground, even in areas outside Taliban’s Pashtun ethnic base. By the time of the September 11, 2001, attacks in the United States, the Taliban controlled at least 75% of the country and almost all major provincial capitals. The Northern Alliance suffered a major setback on September 9, 2001, two days before the

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<sup>6</sup> Drogin, Bob. U.S. Had Plan for Covert Afghan Options Before 9/11. *Los Angeles Times*, May 18, 2002.

September 11 attacks, when Ahmad Shah Masud was assassinated by suicide bombers allegedly linked to Al Qaeda. His successor was his intelligence chief, Marshal Muhammad Fahim, who is a veteran commander but who lacked the authority of Masud.

After the September 11 attacks, the United States decided to go to war against the Taliban regime when the Taliban refused a U.S. demand to extradite bin Laden, who the Administration accused of prime authorship of the attacks. The Bush Administration decided that a friendly regime in Kabul was needed to create the conditions under which U.S. forces could combat and capture Al Qaeda activists in Afghanistan. The U.S.-led war in Afghanistan began on October 7, 2001 (Operation Enduring Freedom, OEF). The campaign consisted of U.S. airstrikes on Taliban and Al Qaeda forces, coupled with targeting by U.S. special operations, intended to facilitate military offensives by the Northern Alliance and Pashtun anti-Taliban forces.

After the September 11 attacks, legislative proposals became significantly more adversarial as well. One bill, H.R. 3088, stating that it should be the policy of the United States to remove the Taliban from power. That bill, as well as another bill (H.R. 2998, introduced October 2, 2001), established a “Radio Free Afghanistan” broadcasting service under RFE/RL. On February 12, 2002, the House passed the Senate version of H.R. 2998 providing \$17 million funding for the radio broadcasts for FY2002. President Bush signed it on March 11, 2002 (P.L. 107-148).

**Pashtuns/Karzai Join the Battle.** During OEF, Taliban control of the north collapsed first. Mazar-e-Sharif fell to Dostam on November 9, 2001, and Northern Alliance forces captured Kabul on November 12. The Taliban collapse in the north was followed by its loss of control of southern and eastern Afghanistan to pro-U.S. Pashtun forces, such as those of Hamid Karzai, who is now President. Karzai entered Afghanistan just after the September 11 attacks to organize Pashtun resistance to the Taliban, supported in that effort by U.S. special forces. He became central to U.S. efforts to oust the Taliban from Pashtun areas after another Pashtun leader, Abdul Haq, entered Afghanistan in October 2001 — without coordination with or support from U.S. forces — but was captured and killed by the Taliban.

Karzai, who is about 50 years old, is leader of the powerful Popolzai tribe of Durrani Pashtuns; he became tribal leader when his father was assassinated, allegedly by Taliban agents, in Quetta, Pakistan in 1999. Karzai had been deputy foreign minister in Rabbani’s government during 1992-1995, but, during 1995-96, Karzai supported the Taliban as a Pashtun alternative to Rabbani. Karzai broke with the Taliban in 1997 when the Taliban began to carry out what Karzai and others considered to be abusive excesses in human rights and enforcement of Islamic practices. Karzai and his family, which includes several brothers, some of whom lived in the United States, had been active in attempting to broker a peaceful transition of power during 1997-2001. Prior to the September 11 attacks, he and his U.S.-based brother, Qayyum Karzai, had reached out to the Northern Alliance in a broad anti-Taliban alliance. He is viewed as a leader who seeks factional compromise rather than by intimidating his opponents with the use of armed force. Groups of other Pashtun commanders took control of cities and provinces in the east and south.

Major U.S. combat operations continued after the fall of the Taliban. The United States and its Afghan allies conducted “Operation Anaconda” in the Shah-i-Kot Valley south of Gardez during March 2 - 19, 2002, to eliminate a pocket of as many as 800 Al Qaeda and Taliban fighters. In late March 2003, about 1,000 U.S. troops launched a raid on suspected Taliban or Al Qaeda fighters in villages around Qandahar. During a visit to Afghanistan on May 1, 2003, Secretary of Defense Rumsfeld and Afghan president Karzai said that major combat operations had ended.

## Post-War Stabilization Efforts<sup>7</sup>

The war against Al Qaeda and the Taliban paved the way for the success of a pre-existing U.N. effort to form a broad-based Afghan government. The transitional government appears stable at the national level, but major tensions still exist among factions of the national government and between the central government and leaders of Afghanistan’s various regions. Some argue that, in many respects, “center-periphery” tension has existed throughout Afghan history. An insurgency by Taliban, pro-Taliban, and Al Qaeda remnants persists, but appears to be gaining little traction or popular support. On the other hand, narcotics trafficking appears to be a growing threat to Afghan development and stability.

**Pre-September 11 U.N. Mediation.** For the eight years prior to the U.S.-led war, the United States worked primarily through the United Nations to end the Afghan civil conflict. The United Nations was viewed as a credible mediator by all sides largely because of its role in ending the Soviet occupation. However, some observers criticized U.S. policy as being insufficiently engaged to bring about a settlement. After the fall of Najibullah in 1992, a succession of U.N. mediators — former Tunisian Foreign Minister Mahmoud Mestiri (March 1994-July 1996); German diplomat Norbert Holl (July 1996-December 1997); Algeria’s former Foreign Minister Lakhdar Brahimi (August 1997-October 1999) and Spanish diplomat Fransesc Vendrell (October 1999- September 2001) — sought to arrange a peaceful transition to a broad-based government. The proposals incorporated many ideas of former King Zahir Shah, calling for a government to be chosen through a traditional assembly, the *loya jirga*. The U.N. efforts, at times, appeared to make progress, but ceasefires between the warring factions constantly broke down. Brahimi suspended his activities in frustration in October 1999.

In coordination with direct U.N. mediation efforts, a “Six Plus Two” contact group began meeting in early 1997; the group consisted of the United States, Russia, and the six states bordering Afghanistan: Iran, China, Pakistan, Turkmenistan, Uzbekistan, and Tajikistan. The group was created following informal meetings of some of the key outside parties, in which the United States and others agreed not to provide weapons to the warring factions. (In June 1996, the Administration formally imposed a ban on U.S. sales of arms to all factions in Afghanistan, a policy already

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<sup>7</sup> Some of the information in the following sections was gathered during a visit by CRS staff to Afghanistan in January 2004. For an analysis of U.S. reconstruction initiatives in Afghanistan, with a focus primarily on economic reconstruction, see U.S. General Accounting Office, GAO-04-403. *Afghanistan Reconstruction*. June 2004.

that had been already in place less formally.<sup>8</sup>) In 2000, another contact group began meeting in Geneva — Italy, Germany, Iran, and the United States. Another mediation grouping operated within the Organization of Islamic Conference (OIC) — the countries in that contact group included Pakistan, Iran, Guinea, and Tunisia.

The United States also supported non-governmental initiatives coming from individual Afghans, including the Karzai clan. One initiative, the Intra Afghan Dialogue, consisted of former *mujahedin* commanders and clan leaders, and held meetings during 1997 and 1998 in Bonn, Frankfurt, Istanbul, and Ankara. Another group, based on the participation of former King Zahir Shah, was centered in Rome (“Rome Grouping”), where the former King lived. A third grouping, calling itself the “Cyprus Process,” consisted of Afghan exiles generally sympathetic to Iran, including a relative of Gulbuddin Hikmatyar.

**The Bonn Conference.** The September 11 attacks and the start of U.S. military action against the Taliban injected new urgency into the search for a government that might replace the Taliban. In late September 2001, Brahimi was brought back as the U.N. representative. On November 14, 2001, the U.N. Security Council adopted Resolution 1378, calling for a “central” U.N. role in establishing a transitional administration and inviting member states to send peacekeeping forces to promote stability and secure the delivery of aid.

In late November 2001, after Kabul had fallen, delegates of the major Afghan factions — most prominently the Northern Alliance and representatives of the former King — gathered in Bonn, Germany, at the invitation of the United Nations. The Taliban was not invited. On December 5, 2001, the factions signed an agreement to form a 30-member interim administration to govern until the holding in June 2002 of a *loya jirga*, to be opened by the former King. The *loya jirga* would then choose a new government to run Afghanistan until a new constitution is approved and national elections held (six months after approval of the constitution). According to Bonn, the government would operate under the constitution of 1964 until a new constitution was adopted. (The last *loya jirga* that was widely recognized as legitimate was held in 1964 to ratify a constitution. Communist leader Najibullah convened a *loya jirga* in 1987 largely to approve his policies; that gathering was widely viewed by Afghans as illegitimate.)

The Bonn agreement provided for an international peace keeping force to maintain security, at least in Kabul, and Northern Alliance forces were to withdraw from Kabul. The Bonn agreement was endorsed by U.N. Security Council Resolution 1385 (December 6, 2001), and the international peacekeeping force was authorized by Security Council Resolution 1386, adopted December 20, 2001. (For text, see [<http://www.uno.de/frieden/afghanistan/talks/agreement.htm>] on the U.N. website.)

At the Bonn conference, Hamid Karzai was selected chairman of an interim administration, which governed from December 22, 2001 until a 2002 “emergency” *loya jirga*. Karzai presided over a cabinet in which a slight majority (17 out of 30)

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<sup>8</sup> *Federal Register*, Volume 61, No. 125, June 27, 1996. Page 33313.

of the positions were held by the Northern Alliance, with this block holding the key posts of Defense (Mohammad Fahim), Foreign Affairs (Dr. Abdullah Abdullah), and Interior (Yunus Qanuni). The three are ethnic Tajiks, with the exception of Dr. Abdullah, who is half Tajik and half Pashtun — all are in their late 40s, and were close aides to commander Masud.

**The 2002 “Emergency” Loya Jirga.** In preparation for the 2002 “emergency” *loya jirga*, the former King returned to Afghanistan on April 18, 2002. By the time of the meeting, 381 districts of Afghanistan had chosen the 1,550 delegates to it, of which about 200 were women. At the *loya jirga*, which began June 11, 2002, the former King and Rabbani, possibly at U.S. urging, withdrew from leadership consideration and endorsed Karzai to continue as Afghanistan’s leader. On June 13, 2002, by an overwhelming margin, the *loya jirga* selected Karzai to lead Afghanistan until national elections to be held June 2004. On its last day (June 19, 2002), the assembly approved Karzai’s new cabinet, which included three vice presidents and several “presidential advisors,” in an effort to balance the ethnic and factional composition of the government and rein in regional strongmen. Northern Alliance military leader Marshal Fahim remained as Defense Minister and acquired the additional title of a vice president. The *loya jirga* adjourned without establishing a parliament, a task left to eventual national elections.

Other notable changes to the government endorsed by the *loya jirga* include the following:

- Ashraf Ghani became Finance Minister. Ghani is a Pashtun with ties to international financial institutions and is well respected in international financial circles. His ministry is widely considered Afghanistan’s most efficient.
- Habiba Sorabi replaced the somewhat outspoken Sima Samar as Minister of Women’s Affairs. (Samar now heads the Afghan Independent Human Rights Commission.)
- The third vice president appointed was Karim Khalili, the leader of a faction of the Hazara Shiite party Hizb-e-Wahdat.
- Neither of the two most prominent regional leaders, Dostam or Ismail Khan, accepted formal Kabul government posts. Both opted to remain in their regional strongholds.
- A national security council was formed as an advisory body to Karzai, intended to increase Kabul’s decision-making power and extend its influence. The national security adviser is Zalmay Rasool, who previously was an aide to ex-King Zahir Shah.

**New Constitution.** After the close of the 2002 emergency *loya jirga*, the Afghan government set to work on adopting a permanent constitution. A 35-member constitutional commission, appointed in October 2002, drafted a new constitution, which was presented to President Karzai in late March 2003. The draft was publicly unveiled at a ceremony, attended by former King Zahir Shah, on November 3, 2003.

It was debated by 502 delegates, selected in U.N.-run caucuses, at a “constitutional *loya jirga* (CLJ)” during December 13, 2003 until January 4, 2004. The CLJ was chaired by former *mujahedin* party leader and Islamic scholar Sibghatullah Mojadeddi. The CLJ ended with approval of the constitution with only minor changes from the draft constitution. Most significantly, members of the Northern Alliance factions and their allies did not succeed in measurably limiting the power of the presidency in the final draft.

Karzai’s critics at the CLJ, mainly Northern Alliance members, objected to the draft constitution’s establishment of a governmental structure with a strong elected presidency. The critics wanted to strengthen the powers of an elected parliament as a potential check on presidential power.<sup>9</sup> An early plan to set up a prime ministership was not included in the draft, because drafters believed that a prime minister might emerge as a rival to the presidency.<sup>10</sup> Northern Alliance supporters wanted a prime minister-ship in order to balance presidential power. However, some experts believe that setting up a strong presidency places undue weight on Karzai’s incumbency and on his self-restraint in the exercise of authority. At the CLJ, some additional powers were given to the parliament, such as veto power over senior official nominees, in an effort to set up the parliament as a check and balance on presidential power. The new constitution:

- sets up a two-chamber parliament, to be elected at the same time, if possible, as presidential elections.
- It gives the president the ability to appoint one-third of the seats for the upper chamber (Meshrano Jirga, House of Elders); another one third are selected by provincial councils, and a final one-third are selected by district councils. Of those appointed by the president, 50% are to be women, meaning that women get at least 16.5% of the total seats in the body (half of the president’s one-third block of appointments).
- The lower house (Wolesi Jirga, House of People), to consist of 249 seats, is to be fully elected. Of those, at least 68 of those elected (2 per province x 34 provinces) “should” be women. That would give women about 25% of the seats in this body. The goal is expected to be met through election rules that mandate that the top two women vote getters in each province win election.
- The constitution prevents the president from disbanding the parliament and gives parliament the ability to impeach a president. The vice president runs on the same election ticket as the president

<sup>9</sup> Information on the contents of the draft constitution are derived from a variety of November 3, 2003, wire service reports, including *Reuters* and *Associated Press*, which are based on an English translation of the draft provided to journalists by the Afghan government.

<sup>10</sup> Constable, Pamela. “Afghan Constitution Seeks Balance.” *Washington Post*, September 28, 2003.

and succeeds him in the event of the president's death. They serve a five-year term, and presidents are limited to two terms.

- The document allows political parties to be established as long as their charters “do not contradict the principles of Islam” and they do not have affiliations with other countries. The constitution designates former King Zahir Shah as ceremonial “father of the nation” but gives him no formal role in governance. This designation cannot be passed on to his sons.
- The constitution does not impose Sharia (Islamic law), but it does attempt to satisfy Afghanistan’s conservative clerics by stipulating that laws shall not contradict “the beliefs and provisions” of Islam.
- Protections for minorities are also written into the constitution, and Uzbeks and Turkmens received rights for their language to be official languages in their regions — provisions not contained in the draft. This represented an apparent victory for Afghanistan’s minorities; the Pashtun leaders had wanted the final constitution to designate Pashto as the sole official language.
- The CLJ added stipulations in the final constitution that women are recognized as equal citizens.

Some CLJ delegates, including some female delegates (who were about 20% of the total delegates), said the draft constitution did not provide sufficient protections for human rights and women’s rights and that it placed the freedoms of Afghans in the hands of judges educated in Islamic law, rather than civil law.<sup>11</sup>

**National Elections.** Now that the constitution has been adopted, U.S., Afghan, and international attention has turned to the holding of presidential and parliamentary elections. Karzai wants national elections to validate his leadership and prevent charges that he seeks to monopolize power. His critics want simultaneous parliamentary elections so that a parliament can serve as a check on presidential authority. However, parliamentary elections are considered more difficult than presidential elections because of the need to first establish political parties, define electoral districts, and adopt election laws.

In late July 2003, Karzai created a joint Afghan-U.N. committee (with U.N. Assistance Mission in Afghanistan, UNAMA), to register voters. In mid-August 2003, the United Nations and Afghan government approved a \$7.6 million project to register about 10.5 million voters for the 2004 elections. In press interviews on June 13, 2003, President Karzai said that about 3.7 million have been registered, about 35% of all registered voters. About 35% of those registered are women, with higher percentages in such relatively progressive areas as Bamiyan province. UNAMA officials in Kabul say the process has been slowed by security concerns,

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<sup>11</sup> Bansal, Preeta and Felice D. Gaer. “Silenced Again in Kabul.” *New York Times*, October 1, 2003.

particularly in the southeast, but UNAMA is in the process of opening 4,600 additional registration centers, and registration rates have now increased to about 40,000 voters per day. Because of the slow pace of registration, Karzai announced that presidential and parliamentary elections would be postponed from the original target date of June 2004 until September 2004. Karzai said on June 13, 2004 that the Afghan government is striving hard to meet the new September 2004 deadline, but he did not firmly pledge that the elections would go forward by then. On May 28, 2004, he signed the major election law that will govern the elections.

Press reports have discussed some of the political bargaining taking place in the run-up to the elections. Since December 2003, Karzai, who has said he will run for president, has been bringing some moderate Taliban and Hikmatyar supporters into the political process in an effort to promote stability and dissipate support for harder-line Taliban elements. In early April 2004, Karzai said that all but 150 Taliban officials — those presumably associated with Al Qaeda or with Taliban excesses — might be welcomed back into the political fold and could run in upcoming elections. The outreach has the backing of the United States, according to press reports.<sup>12</sup> However, the moves have alarmed the Northern Alliance faction — suspicious that Karzai might be arranging for a mostly Pashtun post-election government — and sparked Northern Alliance discussions with Karzai. According to a variety of press reports, Defense Minister Fahim, former President Rabbani, Abdi Rab Rasul Sayyaf, and other Northern Alliance figures have agreed not to run against Karzai, possibly in exchange for a the formation of a coalition government after the elections. Karzai said in his June 13, 2004 media interviews that he has been talking to Northern Alliance leaders and others about limiting contentious factionalism in the upcoming election, but he denied that he had promised government seats to any faction in advance. As of now, he faces only minor challengers; one is a former cabinet official, another is a woman who challenged Karzai unsuccessfully for leadership at the June 2002 *loya jirga*. In the parliamentary component of the elections, sixteen political parties have registered with the Justice Ministry thus far.

The FY2004 supplemental conference report (H.Rept. 108-337) provides \$69 million for “elections and improved governance.” International donors, including the United States, will be providing a total of over \$90 million in aid for Afghanistan to organize the elections.

**Controlling Regional Factionalism and Expanding Kabul’s Authority.** The Bush Administration says that the Kabul government is slowly expanding its authority and its capabilities. However, some regional leaders, such as Dostam and Ismail Khan, continue to exercise substantial power, and a number of reports say that the Afghan population greatly resents the arbitrary implementation of justice and regulations in areas controlled by regional leaders. On the other hand, some ethnic minorities look to the regional leaders to defend their interests against other ethnicities. To curb regional factionalism, since November 2002, Karzai has been replacing provincial officials with those more loyal to the central government. For example, in August 2003 Karzai replaced Qandahar’s Gul Agha Shirzai with the

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<sup>12</sup> Kralev, Nicholas. “U.S. Backs Intention to Work With Ex-Taliban.” *Washington Times*, June 15, 2004.

more pro-Kabul Yusuf Pashtun. Karzai also has stripped Ismail Khan of the title of commander of Afghanistan's western district, although Khan stayed governor of the western provinces.

On the other hand, factional rivalries and tensions remain. The Minister of Aviation (Mirwais Saddiq), the son of Ismail Khan, was killed on March 21, 2004, by a factional rival of his father, in murky circumstances. Khan's forces subsequently attacked and arrested the forces of the rival commander, and the Kabul government sent 1,500 Afghan National Army (ANA, see below) soldiers to maintain stability in Herat.

The following month, Dostam seized control of Maymana, the regional capital of Faryab province, ousting the appointed governor of that province. Karzai sent about 750 ANA fighters to that province, but they did not directly try to reverse Dostam's power grab there. Some experts speculate that Dostam is maneuvering for additional appointments for his proteges to the central government.

A related U.S. concern, centered on Defense Minister Marshal Fahim, is that Fahim has not withdrawn his Northern Alliance (mostly Tajik) forces from Kabul, giving at least the appearance of flouting Karzai's authority. U.S. officials have said they are trying to persuade Fahim to pull the forces he controls out of Kabul, as required in the Bonn agreement, with the ultimate goal to incorporate these forces into the ANA. At the same time, Fahim and Northern Alliance forces appear to be available for use by Karzai; in August 2002, prior to the formation of the ANA, Karzai threatened to send Afghan central government forces to combat a rebellious local leader in Paktia province, but no fighting ensued.

Part of the U.S.-Afghan effort to promote political stability calls for building democratic traditions at the local level. The Afghan government's "National Solidarity Program" seeks to create local governing councils and empower these councils to make decisions about local reconstruction priorities. Elections to these local councils have been held in several provinces, and almost 40% of those elected to them have been women.<sup>13</sup> In February 2004, as part of a move to reform Afghanistan's intelligence service (National Security Directorate) by reducing its ability to spy on Afghan citizens, Karzai replaced Afghanistan's intelligence chief, Muhammad Arif Sarwari. He had been head of intelligence for the Northern Alliance before the fall of the Taliban.<sup>14</sup> On the other hand, U.S. intelligence is advising the National Security Directorate to help it build its capabilities to monitor threats to the new government, which might imply that curbing intelligence's domestic spying powers will be slow.<sup>15</sup>

<sup>13</sup> Khalilzad, Zalmay (U.S. Ambassador to Afghanistan). Democracy Bubbles Up. *Wall Street Journal*, March 25, 2004.

<sup>14</sup> Gall, Carlotta. Afghan Leader Removes Chief of Intelligence. *New York Times*, February 5, 2004.

<sup>15</sup> Kaufman, Marc. "U.S. Role Shifts as Afghanistan Founders." *Washington Post*, April 14, 2003.

The United States is providing advice to the new government. Zalmay Khalilzad, an American of Afghan origin who was President Bush's envoy to Afghanistan, became ambassador in December 2003, and he reportedly has significant influence on Afghan government decisions.<sup>16</sup> The U.S. embassy is expanding its facilities to accommodate additional staff going to help accelerate the reconstruction process, and it is improving its physical security capabilities. The conference report on the FY2004 supplemental appropriation (P.L. 108-106) provided \$44 million for improvements to the embassy. The Afghan government has reopened the Afghan embassy in Washington; the ambassador is Seyed Jalal Tawwab, formerly a Karzai aide.

As part of the U.S. push to speed reconstruction in advance of the 2004 Afghan elections, the United States assigned 6 U.S. officials (fewer than the 20 that were planned) to the U.S. Embassy in Kabul (Afghan Reconstruction Group, ARG) to serve as advisors in various ministries in an effort to increase the efficiency of the Afghan bureaucracy.<sup>17</sup> However, some Administration officials believe the ARG is performing functions largely redundant with those of other U.S. Embassy officers. The accelerated reconstruction plan included financially helping the Afghan government hire about 200 Afghans who have been living abroad and who require relatively high salaries.

**GAO Report on U.S. Reconstruction Efforts.** The U.S. plan showcased some evidence of success with the completion of the Kabul-Qandahar roadway project on December 16, 2003. Numerous other examples of U.S. economic reconstruction initiatives are analyzed in a General Accounting Office (GAO) report: *Afghanistan Reconstruction*. GAO Report GAO-04-403, June 2004. The report, which studied mainly economic reconstruction, was generally critical of U.S. reconstruction efforts to date, asserting that long term reconstruction efforts had achieved "limited results," because the U.S. effort "lacked a complete operational strategy." These findings were disputed by the State Department and USAID in their commenting letters at the end of the report.

**Combatting Narcotics Trafficking.** Another major problem facing the Karzai government is the reportedly growing influence of narcotics trafficking in Afghanistan's economy and its politics. The December 5, 2001, Bonn agreement mentions the need for a post-Taliban Afghanistan government to prevent Afghanistan's re-emergence as a haven for drug cultivation. However, U.S. officials in Afghanistan say they are increasingly nervous that Afghanistan could emerge as a "narco-state" and that about \$2.3 billion — half of Afghanistan's GDP — is generated by narcotics trafficking. Several reports and observers say that narcotics trafficking is funding Taliban insurgents and their allies in Afghanistan, although the traffickers do not appear to have formed cartels or strong organizations. The opium crop was close to 4,000 metric tons for 2003, returning Afghanistan to its position

<sup>16</sup> Waldman, Amy. In Afghanistan, U.S. Envoy Sits In Seat of Power. *New York Times*, April 17, 2004.

<sup>17</sup> Rohde, David. U.S. Said to Plan Bigger Afghan Effort, Stepping Up Aid. *New York Times*, August 25, 2003.

as leading producer of opium crop.<sup>18</sup> In 2003, the area under cultivation was up 8% to 80,000 hectares. A U.N. report, issued August 8, 2003, said that about 500,000 Afghans are involved in Afghanistan's narcotics production and trafficking chain.<sup>19</sup>

In January 2002, the Karzai government banned poppy cultivation, although it has had difficulty enforcing the ban due to resource limitations and opposition from Afghan farmers who see few alternatives. Afghan government officials say that narcotics cultivation will diminish when there is a vibrant alternate economy that provides good paying jobs to Afghans. However, some Bush Administration officials and Members of Congress are calling on the U.S. military to play a greater role in attacking traffickers and their installations, a mission the U.S. military reportedly is reluctant to perform on the grounds that it would expand the U.S. military mission in Afghanistan.<sup>20</sup> As of now, Britain is taking the lead among coalition partners in working to reduce narcotics production and trafficking, and it has recently begun raiding some drug processing labs.

In mid-2004, the United States began funding a separate program to work with Afghan government officials to destroy poppy fields themselves. The program has been working in the provinces of Wardak and Nangahar. Substantial counter-narcotics funds are provided by the FY2004 supplemental appropriation. According to the conference report (H.Rept. 108-337, P.L. 108-106), \$170 million is provided for assistance to Afghanistan's counter-narcotics effort, of which \$160 million is to help equip Afghan counter-narcotics police. Another \$73 million is for Department of Defense counter-narcotics activities in Afghanistan.

In January 2004, as it had in January 2003, the Bush Administration again determined that Afghanistan was a major drug transit or illicit drug producing country. However, the Administration did not include Afghanistan in the list of countries that had "failed demonstrably to make substantial efforts" during the past 12 months to adhere to international counter-narcotics agreements and take certain counter-narcotics measures set forth in U.S. law. Therefore, no sanctions against Afghanistan were triggered. (This is equivalent to the listing by the United States, as Afghanistan has been listed every year since 1987, as a state that is uncooperative with U.S. efforts to eliminate drug trafficking or has failed to take sufficient steps on its own to curb trafficking.) Substantial counter-narcotics funds are provided by the FY2004 supplemental appropriation. According to the conference report (H.Rept. 108-337, P.L. 108-106), \$170 million is provided for assistance to Afghanistan's counter-narcotics effort, of which \$160 million is to help equip Afghan counter-narcotics police. Another \$73 million is for Department of Defense counter-narcotics activities in Afghanistan.

<sup>18</sup> Tohid, Owais. Bumper Year for Afghan Poppies. *Christian Science Monitor*, July 24, 2003.

<sup>19</sup> Seper, Jerry. Afghanistan Leads Again in Heroin Production. *Washington Times*, August 12, 2003.

<sup>20</sup> Zoroya, Greg. Military Urged to Hit Afghan Drug Traffic. *USA Today*, February 12., 2004.

Narcotics trafficking control was perhaps the one issue on which the Taliban satisfied much of the international community. The Taliban, for the most part, enforced a July 2000 ban on poppy cultivation; in February 2001, the U.N. International Drug Control Program (UNDCP) said that surveys showed a dramatic drop in cultivation in the areas surveyed.<sup>21</sup> The Northern Alliance did not issue a similar ban in areas it controlled.

**Improving Human Rights Practices.** Virtually all observers agree that Afghans are freer than they were under the Taliban, although the Karzai government is relatively new and many want to evaluate its human rights practices over a longer period of time. The press is relatively free and Afghan political groupings and parties are able to meet and organize freely, according to the State Department report on human rights practices for 2003. However, according to State Department and other reports, there continue to be reports of reprisals and other abuses based on ethnicity or political factionalism in many parts of Afghanistan. In one of the first major evaluations of human rights since the ousting of the Taliban, Human Rights Watch issued a report on July 29, 2003, saying that militiamen loyal to various local leaders and other powerful figures are silencing critics and intimidating the population.<sup>22</sup>

Some observers say that the new government is reimposing some Islamic restrictions that characterized Taliban rule, including the code of criminal punishments stipulated in Islamic law.<sup>23</sup> Some have blamed the increased restrictions on chief justice Fazl Hadi Shinwari, a religious conservative who was appointed by former president/Northern Alliance political leader Rabbani in the brief interim period (late November - early December 2001) just after the Taliban fled Kabul but before Karzai took office. On January 21, 2003, Shinwari ordered shut down cable television in Kabul on the grounds it was un-Islamic, and called for an end to co-education. Although U.S. officials are privately critical of Shinwari, the U.S. government has generally refrained from advising the new government on these issues, lest the United States be accused of undue interference in Kabul's affairs. U.S. programs — many of which are conducted in partnership with Italy, which is the "lead" coalition country on judicial reform — generally focus on building capacity of the judicial system, including police training and court construction, according the State Department report on U.S. democracy-promotion programs for 2003-2004 (released may 2004).

An Afghan Independent Human Rights Commission also has been formed to monitor government performance; it is headed by former Women's Affairs minister Sima Samar. The conference report on a FY2004 supplemental appropriation, H.R. 3289 (H.Rept. 108-337. P.L. 108-106), appropriates \$5 million to fund the Commission in FY2004. This is the amount authorized, for each fiscal year 2003-

<sup>21</sup> Crossette, Barbara. "Taliban Seem to Be Making Good on Opium Ban, U.N. Says." *New York Times*, February 7, 2001.

<sup>22</sup> Witt, April. Report Claims Afghanistan Rife With Abuse, Fear. *Washington Post*, July 29, 2003.

<sup>23</sup> Shea, Nina. "Sharia in Kabul?" *The National Review*, October 28, 2002.

2006, for that purpose, in the Afghanistan Freedom Support Act of 2002 (P.L. 107-327). In a further indication that Afghans and the Afghan government are aware of international scrutiny on human rights issues, in late April 2003 the Afghan Interior Ministry inaugurated a human rights department to help curb abuses of individual rights by Afghan police.

**Advancement of Women.** The new government is widely considered far less repressive of women than was the Taliban, although the treatment of women varies considerably by region. Afghanistan remains a conservative society, and many Afghans frown on women exercising substantial political and economic rights, limiting women's willingness and ability to participate in the full range of political and economic activities. The July 2003 Human Rights Watch report discussed above observed that women are often subject to physical and psychological harm that has limited their ability to participate in civil society and politics.<sup>24</sup> The most notable development in post-Taliban Afghanistan has been the establishment of a Ministry of Women's Affairs, now headed by Habiba Sorabi, which is dedicated to improving women's rights. According to Sorabi, her ministry has tried to get more Afghan women involved in business ventures and it has invited Afghan religious scholars to hear interpretations of the Quran that favor active participation of women in national and economic affairs. Two women, including Sorabi, hold senior positions in the government.

Afghan women are playing an active role in political and economic reconstruction. As noted previously, 90, or about 20%, of the delegates to the CLJ were women and several women were highly vocal at the meeting, criticizing specific *mujahedin* commanders as responsible for Afghanistan's problems. As noted previously, the new constitution reserves for women at least 25% of the seats in the upper house of parliament, and recognizes men and women as equal citizens. Women are performing some jobs, such as construction work, that were rarely held by women even before the Taliban came to power in 1996,<sup>25</sup> and some women are joining the new police force. Girls returned to school March 23, 2002, for the first time since the Taliban took power in 1996, and most female teachers have resumed their teaching jobs. Still, according to Sorabi, attitudes prevail in some rural areas against girls attending school, and only about 35% of all Afghan girls do attend. Under the new government, the wearing of the full body covering called the *burqa* is no longer obligatory, although many women continue to wear it by tradition.

Although the treatment of Afghan women has improved since the Taliban were removed from power, the Administration and Congress have taken an interest in the treatment of women under the post-Taliban government. After the Karzai government took office, the United States and the new Afghan government set up a U.S.-Afghan Women's Council to coordinate the allocation of resources so as to improve the future of Afghan women. It is chaired on the U.S. side by Undersecretary of State for Global Affairs Paula Dobriansky, and on the Afghan side

<sup>24</sup> Witt, April. "Report Claims Afghanistan Rife With Abuse, Fear." *Washington Post*, July 29, 2003.

<sup>25</sup> Amanpour, Christiane. Cable News Network special report on Afghanistan. Broadcast November 2, 2003.

by the Ministers of Foreign Affairs and of Women's Affairs. According to the State Department's May 2004 report on U.S. efforts to promote democracy abroad, cited above, the United States was active at the constitutional loya jirga, discussed above, to enshrine in the new constitution protections for women and policies to advance women in government.

In recent congressional action, on November 27, 2001 as the Taliban was collapsing, the House unanimously adopted S. 1573, the Afghan Women and Children Relief Act, which had earlier passed the Senate. The law (signed December 12, 2001) calls for the use of unspecified amounts of supplemental funding (appropriated by P.L. 107-38, which gave the Office of the President \$40 billion to respond to the September 11, 2001 attacks, and which was subsequently distributed throughout the government to fund various programs)<sup>26</sup> to fund educational and health programs for Afghan women and children. The Afghanistan Freedom Support Act of 2002 (P.L. 107-327) authorizes \$15 million per year, for FY2003-2006, for the Afghan Ministry of Women's Affairs. The FY2004 supplemental (P.L. 108-106) appropriated \$60 million for programs to assist Afghan women and girls. That legislation contains a section expressing the sense of Congress that the United States seek (in Afghanistan and Iraq) to promote high level participation of women in legislative bodies and ministries and ensure their rights in new institutions. The section also calls on the Administration to seek to ensure women's access to credit, property, and other economic opportunities.

One new legislative proposal is the *Afghan Women Security and Freedom Act of 2004*, S. 2032 and H.R. 4117. The legislation would authorize \$300 million in each of FY2005, FY2006, and FY2007 for program to benefit women and children. Of those amounts, \$20 million for those years would be earmarked for the Ministry of Women's Affairs and \$10 million would be earmarked for the Afghan Independent Human Rights Commission.

## **Post-War Security Operations and Force Capacity Building**

Much of the U.S. program for Afghanistan is intended to improve security throughout Afghanistan, considered a necessary pre-condition for reconstruction and development. Despite the Taliban's overthrow, Taliban, Al Qaeda, and pro-Hikmatyar militants continue to operate throughout Afghanistan. The pillars of the security effort are (1) combat operations by U.S. and other coalition forces in Afghanistan; (2) patrols by an International Security Assistance Force (ISAF); (3) the formation of "provincial reconstruction teams;" (4) the establishment and training of an Afghan National Army and a police force; and (5) the demobilization of local militias. These programs and policies are discussed in the following sections.

The United States (U.S. Central Command, CENTCOM) has about 14,000 troops in and around Afghanistan, and coalition forces are contributing another 2,000 to Operation Enduring Freedom (OEF). This total includes 2,000 U.S. Marines

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<sup>26</sup> For more information on how the appropriated funds were distributed and used, see CRS Report RL31173, *Combating Terrorism: First Emergency Supplemental Appropriations-Distribution of Funds to Departments and Agencies*.

deployed to Afghanistan in March 2004 as part of a stepped up hunt for bin Laden and other militants. Eleven other countries are contributing to both OEF and ISAF as well, and seven countries contribute to only OEF, and not ISAF.<sup>27</sup> The current commander of U.S. forces in Afghanistan is Lt. Gen. David Barno, who is now based at a “Combined Forces Command (CFC)” headquarters near the U.S. Embassy in Kabul, relocating in late 2003 from Bagram air base north of Kabul. The U.S. military is improving its facilities, such as the one occupying part of Bagram Air base, to prepare for long-term involvement in Afghanistan, although U.S. commanders hope to reduce the U.S. troop presence as security improves.

**Anti-Taliban/AI-Qaeda/HIG Combat Operations.** OEF is a combat mission against anti-Afghan government militants; OEF forces do not conduct “peacekeeping” missions or routinely patrol Afghan neighborhoods. The primary mission is to combat Taliban fighters that have showed increased signs of regrouping in the south and east since mid-2003. These militants conduct rocket and small arms attacks on U.S., Afghan, international security force, and international relief and reconstruction workers. Some have committed terrorist attacks, a trend that began on September 5, 2002; that day, there was a car bombing in a crowded marketplace in Kabul, and an assassination attempt against President Karzai. Karzai was unhurt and the assailant, a member of the security detail, was killed by U.S. special forces who serve as Karzai’s protection unit. Afghan officials blamed Taliban/AI Qaeda remnants for both events.<sup>28</sup> Other urban terrorist attacks attributed to Taliban activists include the bombing of a marketplace in Qandahar on December 5, 2003, and two February 2004 suicide bombings against international peacekeeping troops in Kabul. On June 7, 2003, a suicide bomber killed four German soldiers serving with ISAF.

To combat these threats, OEF forces, including Afghan troops, are almost constantly on the offensive. The United States and Afghanistan launched “Operation Mountain Viper” on August 25, 2003; and U.S. commanders say hundreds of Taliban fighters, possibly including top aides to Mullah Umar, were killed in that sweep. About 2,000 U.S. troops participated in one of the largest anti-Taliban sweeps (“Operation Avalanche, December 8 - 30, 2003) conducted since the fall of the Taliban. On March 7, 2004, U.S. forces, along with Afghan National Army soldiers, began “Operation Mountain Storm” against Taliban remnants in and around Uruzgan province, the home province of Mullah Umar. Other significant operations against militants have taken place since May 2004 as part of a planned “spring offensive” talked about by U.S. commanders, using the additional 2,000 Marines deployed in March 2004.

Some commanders say the Taliban insurgency is “losing energy” and that fewer than 1,000 Taliban (and Al Qaeda) fighters remain in Afghanistan.<sup>29</sup> Gen. Barno, in February 2004, said that U.S. forces were now attempting to cultivate relations with

<sup>27</sup> State Department Fact Sheet. “The New Afghanistan,” May 2004.

<sup>28</sup> Employees of a private U.S. security contractor (DynCorp) have taken over the Afghan leadership protection effort as of November 2002.

<sup>29</sup> NATO: Afghan Rebellion Fading. Dallas Morning News, February 11, 2004.

the population in areas where Taliban and other insurgents operate, in order to better conduct counter-insurgency missions.

U.S. Special Operations Forces continue to hunt in Afghanistan and possibly over the border into Pakistan for bin Laden. He reportedly escaped the U.S.-Afghan offensive against the Al Qaeda stronghold of Tora Bora in eastern Afghanistan in December 2001. In February 2004, Gen. Barno and other commanders predicted success against the Taliban and Al Qaeda, including their defeat in Afghanistan in 2004. Implied in the prediction of success is that bin Laden would be captured.

As noted above, one of the targets of OEF is the Hikmatyar faction that is allied with Al Qaeda and Taliban remnants. On February 19, 2003, the U.S. government formally designated Hikmatyar as a “Specially Designated Global Terrorist,” under the authority of Executive Order 13224. That order subjected named terrorists and terrorist-related institutions to financial and other U.S. sanctions. His group, Hizb-e-Islami Gulbuddin (HIG), was analyzed in the section on “other terrorist groups” in the State Department’s report on international terrorism for 2002, released April 30, 2003. The group is not formally designated as a “foreign terrorist organization.”

**War-Related Costs and Casualties.** As of early June 2004, about 125 U.S. military personnel have been killed in Operation Enduring Freedom, including from enemy fire, friendly fire, and non-hostile deaths (accidents). About 10 of the U.S. personnel were killed during 2003. Of coalition forces, 4 Canadian and 1 Australian combat (not peacekeeping) personnel were killed in hostile circumstances. In addition, according to CENTCOM, there have been ten U.S. deaths in the Philippines theater of Operation Enduring Freedom (operations against the Al Qaeda-affiliated Abu Sayyaf organization), all of which resulted from a helicopter crash. No reliable Afghan casualty figures for the war on the Taliban and Al Qaeda have been announced, but estimates by researchers of Afghan civilian deaths generally cite figures of “several hundred” civilian deaths. On July 1, 2002, a U.S. airstrike on suspected Taliban leaders in Uruzgan Province mistakenly killed about 40 civilians.

Incremental costs of U.S. operations in Afghanistan appear to be relatively stable at about \$1 billion per month. About \$13 billion in incremental costs were incurred in FY2002. The FY2004 supplemental appropriation provided about \$11 billion for Operation Enduring Freedom for FY2004 (H.R. 3289, conference report H.Rept. 108-337, P.L. 108-106).

**International Security Force (ISAF)/NATO.** The Bonn Agreement, discussed above, and U.N. Security Council Resolution 1386 (December 20, 2001) created an international peacekeeping force, the International Security Assistance Force (ISAF). Its mandate is the maintenance of security, and the mandate was initially limited to Kabul. ISAF currently has about 6,400 troops from the following 26 nations:<sup>30</sup> Albania (23), Austria (5), Azerbaijan (23), Belgium (155), Bulgaria (11), Canada (1,800, lead force in Kabul Multinational Brigade), Denmark (49),

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<sup>30</sup> There is no central source for up-to-date information on troop contributions to ISAF. In practice, country contingents tend to rotate in and out frequently. This list of contributions is intended to be a reasonable picture of contingents that are or have recently served in ISAF.

Croatia (47), Estonia (6), Finland (46), France (503), Germany (2,300), Greece (123), Hungary (19), Ireland (7), Italy (270), Latvia (8), the Netherlands (572), New Zealand (4), Norway (21), Romania (32), Spain (70), Sweden (30), Switzerland (2), Turkey (112), the United Kingdom (130). According to the State Department, eleven of these nations are also contributed forces to OEF, and seven other nations are contributing to OEF but not ISAF. (For numbers of international troops contributed to OEF, see CRS Report RL31152, *International Support for the U.S.-Led War on Terrorism*, which details each contribution, including types of forces, equipment, and facilities hosting.)

On August 11, 2003, NATO took command of the force, apparently putting to rest the difficulty of identifying a lead force or lead country to head ISAF each six-month period. NATO took over from Germany and the Netherlands; earlier leaders were Turkey (June 2002 - February 2003) and Britain (December 2001-June 2002). ISAF operates in conjunction with Afghan security forces in Kabul and coordinates with OEF forces as well. The core of ISAF is the Kabul Multinational Brigade (4,400 personnel), headed by Canada, which has three battle groups headed by Canada, Germany, and France. At the ISAF headquarters level, there are 600 personnel from 15 contributing nations.

NATO's assumption of command intensified discussions about whether ISAF should deploy to other major cities. The Afghan government and UNAMA (U.N. Assistance Mission for Afghanistan) have long favored expanding its mandate.<sup>31</sup> In early 2003, the Bush Administration had favored reliance on the alternative security efforts discussed below. However, in late 2002 the Administration said it would support ISAF expansion if enough troops could be contributed to it. In early October 2003, NATO endorsed a plan to expand its presence to several other cities, using 2,000-10,000 new troops, if contributed, and contingent on formal U.N. approval of that expansion. The NATO decision came several weeks after Germany agreed to contribute an additional 450 military personnel to expand ISAF into the city of Kunduz. On October 14, 2003, the U.N. Security Council adopted Resolution 1510, formally authorizing ISAF to deploy outside Kabul. German troops, as part of ISAF, now patrol Kunduz and have taken over the U.S.-led provincial reconstruction team (PRT) there. (The PRT concept is discussed below.) In April 2004, Germany pledged an additional 100 soldiers to set up a branch of the Kunduz PRT, based in the north-eastern city of Faizabad.

**Provincial Reconstruction Teams (PRTs).** The U.S. military has increasingly focused on fostering secure conditions for reconstruction. In mid-December 2002, the Defense Department announced the concept of the PRTs to provide safe havens for international aid workers to help with reconstruction and to extend the writ of the Kabul government throughout Afghanistan by attaching to the PRTs Afghan government (Interior Ministry) personnel. Each U.S.-run PRT is composed of U.S. forces, Defense Department civil affairs officers, representatives of U.S. aid and other agencies, and allied personnel. Ten U.S.-run PRTs, each with about 50-100 military personnel, are now in operation at Gardez, Ghazni, Herat,

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<sup>31</sup> Driver, Anna. U.N. envoy Pushes for Troop Expansion in Afghanistan. *Reuters*, August 13, 2003.

Parwan, Qandahar, Jalalabad, Khost, Qalat, Asadabad, and Tarin Kowt. In the next few months, additional U.S.-run PRT's are expected to be formed in Lashkar Gah, Sharana, and Farah.

As discussed above, the passage of Resolution 1510 — and the turnover of some PRTs to U.S. allies and NATO/ISAF — have given momentum to the PRT concept. In addition to the Germany/ISAF-run PRT in Konduz, Britain heads the Mazar-e-Sharif PRT, and New Zealand leads a PRT in Bamiyan; the two countries run these PRTs as OEF coalition partners, not as ISAF/NATO contributing nations. U.S. plans are to eventually establish PRTs in most of Afghanistan's 34 provinces, as well as "satellite" PRTs — smaller offshoots of the major PRTs that would operate in nearby population centers. Current plans are for U.S. forces to run the PRTs primarily in the south and east, with an emphasis on counter-insurgency and anti-Al Qaeda intelligence missions, according to U.S. officers in Afghanistan.

During meetings of NATO in December 2003 and February 2004 senior U.S. officials, including Defense Secretary Rumsfeld, called on NATO to take a larger role in Afghanistan by establishing 5 additional PRTs and maybe eventually taking over OEF. For now, according to statements from NATO officials, that appears unlikely until at least 2005. In an effort to address staffing and equipment shortages, in early December 2003, NATO announced new pledges for ISAF operations: about 12 helicopters from Germany, the Netherlands, and Turkey; an infantry company from Norway's Telemark battalion, troops from the Czech Republic, intelligence officers from Italy, Romania, and other countries, and airport traffic controllers from Belgium and Iceland. At the NATO meeting in February 2004, NATO expressed an intent to take over at least five PRTs by mid-2004, mainly in the north. Britain, Italy, Turkey, and Norway reportedly agreed to take over one each, in addition to the Konduz PRT run by Germany, and the Netherlands and Spain reportedly are considering taking over one as well.<sup>32</sup> France contributes to both OEF and ISAF but reportedly opposes taking over a PRT on the grounds that reconstruction work and military operations should not be intermingled.

Some aid agencies say they have felt more secure since the PRT program began, fostering reconstruction activity in areas of PRT operations.<sup>33</sup> However, other relief groups do not want to associate with any military force because doing so might taint their perceived neutrality. The FY2004 supplemental request asked that \$50 million in Economic Support Funds (ESF) be appropriated for "PRT projects;" that amount is provided in the conference report (H.Rept. 108-337, P.L. 108-106).

In February 2004, Gen. Barno briefed journalists on an additional concept for "regional development zones" — areas of operations that might group several PRTs — in an effort to promote reconstruction and Afghan governance. According to Barno, a pilot regional development zone (RDZ) has been established in Qandahar,

<sup>32</sup> Graham, Bradley. NATO to Expand Force in Afghanistan. *Washington Post*, February 7, 2004. Knox, Noelle. NATO Allies Urged to Help More in Afghanistan. *USA Today*, April 27, 2004.

<sup>33</sup> Kraul, Chris. "U.S. Aid Effort Wins Over Skeptics in Afghanistan." *Los Angeles Times*, April 11, 2003.

composed of a strong pro-Kabul governor working with U.S. troops and arriving national police and ANA forces. The RDZ's are expected to provide synergy with PRTs in their areas, and one intention of the concept is to devolve security decision-making to U.S. commanders in the regions, rather than at U.S. headquarters in Kabul.

**Afghan National Army (ANA).** U.S. Special Operations Forces, in partnership with French and British officers, are training the new Afghan National Army (ANA). U.S. officers in Afghanistan say the ANA is beginning to become a major force in stabilizing the country and a national symbol. As of early June 2004, the ANA has about 8,300 troops, with the intention of expanding to at least 10,000 by the time of the planned 2004 elections, according to U.S. military officials. In December 2002, the recruits first began training at the battalion level, and it deployed to eastern Afghanistan to fight alongside U.S. and coalition forces. They performed well, by all accounts, and were welcomed by the local population as a symbol of a unified future for Afghanistan. In late July 2003, the ANA launched its first combat operation on its own, a sweep ("Operation Warrior Sweep") in southeastern Afghanistan against insurgents. Coalition officers are conducting heavy weapons training for a heavy brigade as part of a "Kabul Corps," based in Pole-Charki, just east of Kabul. The ANA has established a presence in several outlying provinces, working with the PRT's and assisted by embedded U.S. trainers. The ANA deployed to Herat in March 2004 to help quell factional unrest there, and to Maimana in April 2004 in response to Dostam's militia movement into that city. The ANA conducted a military parade in Kabul on the April 18, 2004, anniversary of the fall of Communist leader Najibullah.

Afghan officials say the desired size of the army is 70,000, a level that will likely not be reached for several more years, at the current rate of U.S.-led training. On the other hand, U.S. officers leading the training say they lack enough funds to build the ANA at a more rapid pace.<sup>34</sup> Thus far, weaponry for the ANA has come primarily from Defense Ministry weapons stocks, with the concurrence of Defense Minister Fahim who controls those stocks, and from international donors, primarily from the former East bloc.<sup>35</sup> The United States has provided some trucks and other equipment as excess defense articles (EDA), and plans to provide some additional U.S. arms and/or defense services to the ANA, according to statements by U.S. officials. The FY2004 supplemental appropriation (conference report on H.R. 3289, H.Rept. 108-337, P.L. 108-106) provided \$287 million in foreign military financing (FMF) to accelerate ANA development. Of those amounts, all funds have been obligated as of late April 2004 as follows: \$146 million for infrastructure; \$78 million for equipment; \$40.7 million for "sustainment" (ANA salaries); \$13 million for training; and \$9 million for transportation.

There has been some concern that Vice President/Defense Minister General Fahim opposes the formation of a national army as a potential threat to his power base. However, after visits and discussions with U.S. officials, he now reportedly accepts that army and has been cooperating in its development. There had been

<sup>34</sup> Cash Crisis Hits Afghan Army: Yank. *New York Daily News*, March 15, 2004.

<sup>35</sup> Report to Congress Consistent With the Afghanistan Freedom Support Act of 2002, July 22, 2003.

reports, at the time the United States first began establishing the new army, that Fahim was weighting recruitment for the national army toward his Tajik ethnic base. Many Pashtuns, in reaction, refused recruitment or left the national army program. U.S. officials in Afghanistan say this problem has been alleviated recently with somewhat better pay and more involvement by U.S. special forces, as well as the appointment of additional Pashtuns in senior Defense Ministry positions.<sup>36</sup> U.S. officers in Afghanistan add that some recruits take long trips to their home towns to remit funds to their families, and often then return to the ANA after a long absence. Fully trained recruits are paid about \$70 per month. However, some press accounts say that recruits continue to leave because the new army is still riven with factionalism and because the pay is low.<sup>37</sup>

An Afghan Air Force remains, although it has virtually no aircraft to fly. It has about 400 pilots, as well as 28 helicopters and a few cargo aircraft. It is a carryover from the Afghan Air Force that existed prior to the Soviet invasion. Pilots are based at Bagram Airfield. U.S. officers in Afghanistan say they hope to eventually provide some additional equipment to the Afghan Air Force.

**National Guard.** In early 2004, because of the slow pace of expanding the ANA, the Bush Administration reportedly formulated a plan to build up a “national guard” to supplement the ANA.<sup>38</sup> The national guard apparently will consist primarily of regional militia forces; it would report to OEF. This plan might appear to conflict with the Administration’s plan to build up the Kabul government and weaken regional militias, although the Administration reportedly believes this plan could better bring militia forces under central control.

**Police.** The United States and Germany are training a national police force. About 5,700 national police have been trained thus far, and the goal is to have 20,000 trained and deployed by the time of national elections. There are five training centers around Afghanistan, with two more to be established. Some national police have begun to dismantle factional checkpoints in some major cities, according to U.S. officers in Afghanistan. Part of the training consists of courses in human rights principles and democratic policing concepts.

**Disarmament, Demobilization, and Reintegration (DDR).** At the same time, Japan and the United Nations (UNAMA), in concert with the Afghan government (Defense Ministry) are leading an international effort to demobilize up to 100,000 private militiamen by channeling them into alternate employment. Reducing the number and size of private militias around Afghanistan is expected to undercut the military strength of the regional governors relative to the central government. However, the DDR program got off to a slow start because the Afghan Defense Ministry did not enact mandated reforms (primarily reduction of the number

<sup>36</sup> Gall, Carlotta. In a Remote Corner, an Afghan Army Evolves From Fantasy to Slightly Ragged Reality. *New York Times*, January 25, 2003.

<sup>37</sup> Watson, Paul. *Losing Its Few Good Men*. Los Angeles Times, November 27, 2003.

<sup>38</sup> Dempsey, Judy. US Planning for Stopgap Afghan National Guard. *London Financial Times*, February 12, 2004.

of Tajiks in senior positions) by the targeted July 1, 2003, date. Many (non-Tajik) local militias said they would not disarm as long as the Defense Ministry was monopolized by Tajiks/Northern Alliance personnel. The “reforms” began in September 2003 when Karzai approved the replacement of 22 senior Tajik officials in the Defense Ministry by officials of Pashtuns, Uzbek, and Hazara ethnicity. However, there is some concern that the loyalty of lower ranking Ministry officials has not completely transferred. In October 2003, the disarmament program began in Konduz, with militiamen beginning to hand in their weapons. A total of about 7,800 militiamen nationwide have been disarmed, including some in Kabul, and the goal is to disarm 40,000 by the time of national elections.

A related program is the surrender and cantonment of heavy weapons possessed by major factions. As noted above, the U.K.-led PRT in Mazar-e-Sharif has collected some heavy weapons (tanks, artillery) from Dostam and Atta in northern Afghanistan; these weapons are now guarded at two sites by U.K. forces and the ANA. Defense Minister/Northern Alliance commander Fahim has surrendered some Northern Alliance heavy weapons for use by the ANA. Afghan commanders say that, as of March 11, 2004, when additional heavy weapons were handed over in Kabul, about one-quarter of all heavy weapons in Kabul had been taken off the streets and placed in cantonment sites guarded by the ANA in Kabul. Fahim has also handed in some Scud missiles to U.S./ANA control.

The FY2004 supplemental requests asked \$60 million for DDR operations. However, \$30 million was provided in the conference report (H.Rept. 108-337, P.L. 108-106) because it is expected that Japan might contribute additional funds.

## **Regional Context<sup>39</sup>**

Even before September 11, several of Afghanistan’s neighbors were becoming alarmed about threats to their own security interests emanating from Afghanistan. Some experts believe that the neighboring governments are attempting, to varying degrees, to manipulate Afghanistan’s factions and its political structure to their advantage. On December 23, 2002, Afghanistan and its six neighbors signed a non-interference pledge (Kabul Declaration).

### **Pakistan<sup>40</sup>**

Pakistan ended its support for the Taliban in the aftermath of the September 11, 2001 attacks. Pakistan initially saw the Taliban movement as an instrument with which to fulfill its goals in Afghanistan: an Afghan central government strong enough to prevent fragmentation of Afghanistan while at the same time sufficiently

<sup>39</sup> For further information, see CRS Report RS20411, *Afghanistan: Connections to Islamic Movements in Central and South Asia and Southern Russia*. December 7, 1999, by Kenneth Katzman.

<sup>40</sup> For further discussion, see Rashid, Ahmed. “The Taliban: Exporting Extremism.” *Foreign Affairs*, November - December 1999.

friendly and pliable to provide Pakistan strategic depth against rival India. In the wake of the Soviet pullout in 1989, Pakistan was troubled by continued political infighting in Afghanistan that was enabling drug trafficking to flourish and to which Afghan refugees did not want to return. Pakistan saw Afghanistan as essential to opening up trade relations and energy routes with the Muslim states of the former Soviet Union.

Pakistan was the most public defender of the Taliban movement and was one of only three countries (Saudi Arabia and the United Arab Emirates are the others) to formally recognize it as the legitimate government. Prior to the September 11 attacks, General Pervez Musharraf, who took power in an October 1999 coup, resisted U.S. pressure to forcefully intercede with the Taliban leadership to achieve bin Laden's extradition. U.N. Security Council Resolution 1333, of December 19, 2000, was partly an effort by the United States and Russia to compel Pakistan to cease military advice and aid to the Taliban. Pakistan did not completely cease military assistance, but it abided by some provisions of the resolution, for example by ordering the Taliban to cut the staff at its embassy in Pakistan.<sup>41</sup> Just prior to the September 11 terrorist attacks, Pakistan had said it would cooperate with a follow-on U.N. Security Council Resolution (1363 of July 30, 2001) that provided for U.N. border monitors to ensure that no neighboring state was providing military equipment or advice to the Taliban.

Pakistan's pre-September 11 steps toward cooperation with the United States reflected increasing wariness that the Taliban movement was radicalizing existing Islamic movements inside Pakistan. Pakistan also feared that its position on the Taliban was propelling the United States into a closer relationship with Pakistan's arch-rival, India. These considerations, coupled with U.S. offers of economic benefit, prompted Pakistan to cooperate with the U.S. response to the September 11 attacks. Pakistan provided the United States with requested access to Pakistani airspace, ports, airfields. Pakistan also has arrested over 500 Al Qaeda fighters and turned them over to the United States. Pakistani authorities helped the United States track and capture top bin Laden aide Abu Zubaydah in early April 2002, alleged September 11 plotter Ramzi bin Al Shibh (captured September 11, 2002), and top Al Qaeda planner Khalid Shaikh Mohammed (March 2, 2003). Following failed assassination attempts in December 2003 against Musharraf, Pakistani forces accelerated efforts to find Al Qaeda forces along the Pakistan-Afghanistan border, in some cases threatening tribal elements in these areas who are suspected of harboring the militants. In March 2004, Pakistani forces began a major battle with about 300-400 suspected Al Qaeda fighters in the Waziristan area, reportedly with some support from U.S. intelligence and other indirect support. On the other hand, U.S. and Afghan officials continue to accuse Pakistan of allowing Taliban fighters and activists to meet and group in Pakistani cities and they call on Pakistan to track down and arrest Taliban members as vigorously as it tracks members of Al Qaeda.

At the same time, Pakistan has sought to protect its interests by fashioning a strong Pashtun-based component for a post-Taliban government. Pakistan was wary

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<sup>41</sup> Constable, Pamela. "New Sanctions Strain Taliban-Pakistan Ties." *Washington Post*, January 19, 2001.

that a post-Taliban government dominated by the Northern Alliance would be backed by India. Some Afghan officials are concerned about the implications for the Afghan government of the election gains of some pro-Taliban parties in Pakistan's October 2002 parliamentary elections; those parties did well in districts that border Afghanistan. Pakistan wants the new government of Afghanistan to pledge to abide by the "Durand Line," a border agreement reached between Britain (signed by Sir Henry Mortimer Durand) and then Afghan leader Amir Abdul Rahman Khan in 1893, separating Afghanistan from what was then British-controlled India (later Pakistan after the 1947 partition).

As of October 2002, about 1.75 million Afghan refugees have returned from Pakistan since the Taliban fell. About 300,000 Afghan refugees remain in Pakistan.

## **Iran**

Iran perceives its key national interests in Afghanistan as exerting its traditional influence over western Afghanistan, which Iran borders and was once part of the Persian empire, and to protect Afghanistan's Shiite minority. Iranian firms are also profiting from reconstruction work in western Afghanistan.

When Taliban forces ousted Ismail Khan from Herat (the western province that borders Iran) in September 1995, Iran saw the Taliban as a threat to its interests in Afghanistan. After that time, Iran drew even closer to the Northern Alliance than previously, providing its groups with fuel, funds, and ammunition,<sup>42</sup> and hosting fighters loyal to Khan, who was captured by the Taliban in 1998 but escaped and fled to Iran in March 2000. In September 1998, Iranian and Taliban forces nearly came into direct conflict when Iran discovered that nine of its diplomats were killed in the course of Taliban's offensive in northern Afghanistan. Iran massed forces at the border and threatened military action, but the crisis cooled without a major clash, possibly because Iran lacked confidence in its military capabilities.

The United States and Iran have long had common positions on Afghanistan, despite deep U.S.-Iran differences on other issues. U.S. officials have acknowledged working with Tehran, under the auspices of the Six Plus Two contact group and Geneva group. Iran has confirmed that it offered search and rescue assistance in Afghanistan during the war, and it also allowed U.S. humanitarian aid to the Afghan people to transit Iran. On the other hand, some Iranian leaders were harshly critical of U.S. military action against the Taliban as part of what these Iranian figures said is a U.S. war on Islam and Muslims.

Amid reports Iran seeks to exert influence over the new government by arming pro-Iranian Afghan factions, in early January 2002 President Bush warned Iran against meddling in Afghanistan. The President listed Iran as part of an "axis of evil" in his January 29, 2002 State of the Union message, partly because of Iran's actions in Afghanistan. Since then, the Bush Administration has continued to accuse Iran of trying to build influence over the interim government and of failing to attempt

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<sup>42</sup> Steele, Jonathon, "America Includes Iran In Talks On Ending War In Afghanistan." *Washington Times*, December 15, 1997. A14.

to locate or arrest Al Qaeda fighters who have fled to Iran from Afghanistan. Partly in response to the U.S. criticism, in February 2002 Iran expelled Karzai-opponent Gulbuddin Hikmatyar, although it did not arrest him and allowed him to return to Afghanistan. For his part, Karzai has said that Iran is an important neighbor of Afghanistan and visited Iran in late February 2002, pledging to build ties with the Islamic republic. Saudi Arabia said in early August 2002 that Iran had turned over to Saudi Arabia several Al Qaeda fighters located and arrested in Iran.

As of October 2002, about 275,000 Afghan refugees have returned from Iran since the Taliban fell. About 1.2 million remain, many of which are integrated into Iranian society.

## Russia

A number of considerations might explain why Russia supported the U.S. effort against the Taliban and Al Qaeda, including tacitly supporting — or at least not opposing — the use of bases in Central Asia to conduct the war. Russia's main objective in Afghanistan has been to prevent the further strengthening of Islamic or nationalist movements in the Central Asian states or Islamic enclaves in Russia itself, including Chechnya. Russia's fear became acute following an August 1999 incursion into Russia's Dagestan region by Islamic guerrillas from neighboring Chechnya. Some reports link at least one faction of the guerrillas to Al Qaeda.<sup>43</sup> This faction was led by a Chechen of Arab origin who is referred to by the name "Hattab" (full name is Ibn al-Khattab), although there are some reports Russia may have killed him in Chechnya in 2002. In January 2000, the Taliban became the only government in the world to recognize Chechnya's independence, and some Chechen fighters fighting alongside Taliban/Al Qaeda forces have been captured or killed during OEF.

The U.S. and Russian positions on the Taliban became coincident well before the September 11 attacks.<sup>44</sup> Even before the U.S.-led war, Russia was supporting the Northern Alliance with some military equipment and technical assistance.<sup>45</sup> U.S.-Russian cooperation led to the passage of U.N. Security Council Resolution 1267 and 1233 (see section on "Harboring of Al Qaeda, below). On the other hand, the United States has not blindly supported Russia's apparent attempts to place a large share of the blame for the rebellion in Chechnya on the Taliban or Al Qaeda.

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<sup>43</sup> Whittell, Giles. "Bin Laden Link To Dagestan Rebel Fightback." *London Times*, September 6, 1999.

<sup>44</sup> Constable, Pamela. "Russia, U.S. Converge on Warnings to Taliban." *Washington Post*, June 4, 2000.

<sup>45</sup> Risen, James. "Russians Are Back in Afghanistan, Aiding Rebels." *New York Times*, July 27, 1998.

## Central Asian States<sup>46</sup>

During Taliban rule, leaders in Uzbekistan, Tajikistan, and Kyrgyzstan grew increasingly alarmed that Central Asian radical Islamic movements were receiving safe haven in Afghanistan. In 1996, several of these states banded together with Russia and China into a regional grouping called the Shanghai Cooperation Organization to discuss the threat emanating from Afghanistan's Taliban regime. The organization groups China, Russia, Uzbekistan, Tajikistan, Kazakhstan, and Kyrgyzstan; Karzai attended its meeting in April 2004 signaling the likely entry of Afghanistan into the grouping. Of the Central Asian states that border Afghanistan, two of them — Uzbekistan and Tajikistan — had seen themselves as particularly vulnerable to militants harbored by the Taliban. Uzbekistan saw its ally, Abdul Rashid Dostam, the Uzbek commander in northern Afghanistan, lose most of his influence in 1998. Prior to the U.S. war on the Taliban and Al Qaeda, Uzbek officials had said that more active support from Uzbekistan would not necessarily have enabled Dostam to overturn Taliban control of the north.<sup>47</sup>

Uzbekistan has long asserted that the group Islamic Movement of Uzbekistan (IMU), allegedly responsible for four simultaneous February 1999 bombings in Tashkent that nearly killed President Islam Karimov, is linked to Al Qaeda.<sup>48</sup> One of its leaders, Juma Namangani, reportedly was killed while commanding Taliban/Al Qaeda forces in the battle for Mazar-e-Sharif in November 2001. Uzbekistan was highly supportive of the United States in the wake of the September 11 attacks and placed military facilities at U.S. disposal for use in the combat against the Taliban and Al Qaeda. About 1,000 U.S. troops from the 10<sup>th</sup> Mountain Division, as well as U.S. aircraft, have been based at the Khanabad/Karsi air base there. Following the fall of the Taliban, in December 2001 Uzbekistan reopened the Soviet-built "Friendship Bridge" over the Amu Darya river in order to facilitate the flow of aid into Uzbekistan. Uzbek officials in Tashkent told CRS in May 2002 that the defeat of the Taliban has made them less anxious about the domestic threat from the IMU, and press reports say the IMU has been severely weakened by its war defeats and Namangani's death.

Tajikistan feared that its buffer with Afghanistan would disappear if the Taliban defeated the Northern Alliance, whose territorial base borders Tajikistan. Some of the IMU members based in Afghanistan, including Namangani, fought alongside the Islamic opposition United Tajik Opposition (UTO) during the 1994-1997 civil war in that country. Tajikistan, heavily influenced by Russia, whose 25,000 troops guards the border with Afghanistan, initially sent mixed signals on the question of whether it would give the United States the use of military facilities in Tajikistan. However, on September 26, 2001, Moscow officially endorsed the use by the United States of three air bases in Tajikistan, paving the way for Tajikistan to open facilities for U.S.

<sup>46</sup> For further information, see CRS Report RL30294, *Central Asia's Security: Issues and Implications for U.S. Interests*. December 7, 1999.

<sup>47</sup> CRS conversations with Uzbek government officials in Tashkent. April 1999.

<sup>48</sup> The IMU was named a foreign terrorist organization by the State Department in September 2000.

use, which it did formally offer in early November 2001. In July 2003, Afghanistan and Tajikistan agreed that some Russian officers would train some Afghan military officers in Tajikistan.

Kazakhstan and Kyrgyzstan do not directly border Afghanistan. However, IMU guerrillas have transited Kyrgyzstan during past incursions into Uzbekistan.<sup>49</sup> Kazakhstan had begun to diplomatically engage the Taliban over the year prior to the September 11 attacks, but it publicly supported the U.S. war effort against the Taliban. In early December 2001, Kyrgyzstan offered to host U.S. warplanes, and U.S. and French aircraft, including U.S. Marine F-18 strike aircraft, have been using part of the international airport at Manas (Peter J. Ganci base) as a base for combat flights in Afghanistan.<sup>50</sup> Kyrgyzstan said in March 2002 that there is no time limit on the U.S. use of military facilities there, and about 2,000 U.S. and other OEF personnel remain based at Manas. French aircraft withdrew in September 2002 as the war wound down. Kazakhstan signed an agreement with the United States in July 2002 to allow coalition aircraft to use Kazakhstan's airports in case of an emergency or short term need related to the ongoing war in Afghanistan.

Of the Central Asian states that border Afghanistan, only Turkmenistan chose to seek close relations with the Taliban leadership when it was in power, possibly viewing engagement as a more effective means of preventing spillover of radical Islamic activity from Afghanistan. Turkmenistan's leader, Saparmurad Niyazov, saw Taliban control as facilitating construction of a natural gas pipeline from Turkmenistan through Afghanistan, which would help Turkmenistan bring its large gas reserves to world markets. However, the September 11 events stoked Turkmenistan's fears of the Taliban and its Al Qaeda guests and the country publicly supported the U.S.-led war. No Operation Enduring Freedom forces were based in Turkmenistan.

## China

China has a small border with a sliver of Afghanistan known as the "Wakhan corridor" (see map) and had become increasingly concerned about the potential for Al Qaeda to promote Islamic fundamentalism among Muslims (Uighurs) in northwestern China. A number of Uighurs fought in Taliban and Al Qaeda ranks in the U.S.-led war, according to U.S. military officials. China expressed its concern through active membership in the Shanghai Cooperation Organization, as noted above. In December 2000, sensing China's increasing concern about Taliban policies, a Chinese official delegation met with Mullah Umar.

Although it has long been concerned about the threat from the Taliban and bin Laden, China did not, at first, enthusiastically support U.S. military action against the Taliban. Many experts believe this is because China, as a result of strategic considerations, was wary of a U.S. military buildup on its doorstep. China is an ally with Pakistan, in part to balance out India, which China sees as a rival. Pakistan's

<sup>49</sup> *Patterns of Global Terrorism: 1999*, pp. 14, 92.

<sup>50</sup> Some information based on CRS visit to the Manas facility in Kyrgyzstan, May 2002.

cooperation with the United States appears to have allayed China's opposition to U.S. military action, and President Bush has praised China's cooperation with the anti-terrorism effort in his meetings with senior leaders of China.

## Saudi Arabia

During the Soviet occupation, Saudi Arabia channeled hundreds of millions of dollars to the Afghan resistance, primarily the Islamic fundamentalist militias of Hikmatyar and Sayyaf. Saudi Arabia, which itself practices the strict Wahhabi brand of Islam practiced by the Taliban, was one of three countries to formally recognize the Taliban government. (The others are Pakistan and the United Arab Emirates.) The Taliban initially served Saudi Arabia as a potential counter to Iran, with which Saudi Arabia has been at odds since Iran's 1979 revolution. However, Iranian-Saudi relations improved dramatically beginning in 1997, and balancing Iranian power ebbed as a factor in Saudi policy toward Afghanistan.

Drawing on its intelligence ties to Afghanistan during the anti-Soviet war, Saudi Arabia worked with Taliban leaders to persuade them to suppress anti-Saudi activities by Al Qaeda. Saudi Arabia apparently believed that Al Qaeda's presence in Afghanistan drew Saudi Islamic radicals away from Saudi Arabia itself and thereby reduced their opportunity to destabilize the Saudi regime. Some press reports indicate that, in late 1998, Saudi and Taliban leaders discussed, but did not agree on, a plan for a panel of Saudi and Afghan Islamic scholars to decide bin Laden's fate. Other reports, however, say that Saudi Arabia refused an offer from Sudan in 1996 to extradite bin Laden to his homeland on the grounds that he could become a rallying point for opposition to the regime. In March 2000 and again in May 2000, the Saudi-based Organization of Islamic Conference (OIC) sponsored indirect peace talks in Saudi Arabia between the warring factions.

According to U.S. officials, Saudi Arabia generally cooperated with the U.S. war effort. Along with the UAE, Saudi Arabia broke diplomatic relations with the Taliban in late September 2001. It quietly permitted the United States to use a Saudi base for command of U.S. air operations over Afghanistan, but it did not permit U.S. aircraft to launch strikes in Afghanistan from Saudi bases. The Saudi position has generally been to allow the United States the use of its facilities as long as doing so is not publicly requested or highly publicized.

## Residual Issues From Afghanistan's Conflicts

A few issues remain unresolved from Afghanistan's many years of conflict. Among them are the "Stinger" anti-aircraft missiles provided to the mujahedin during the Soviet occupation, and the elimination of land mines.

**Stinger Retrieval.** Beginning in late 1985 and following an internal debate, the Reagan Administration provided "hundreds" of man-portable "Stinger" anti-aircraft missiles to the mujahedin for use against Soviet combat helicopters and aircraft. Prior to the U.S.-led war against the Taliban and Al Qaeda, common estimates among experts suggested that 200-300 Stingers remained at large in

Afghanistan out of about 1,000 provided during the war against the Soviet Union.<sup>51</sup> The Stinger issue resurfaced in conjunction with the U.S. war effort, when U.S. pilots reported that the Taliban fired some Stingers at U.S. aircraft during the war, but they recorded no hits. Any Stingers that survived the anti-Taliban war were controlled by Afghans now allied to the United States and presumably posed less of a threat. However, there are continued concerns that remaining Stingers could be sold to terrorists for use against civilian airliners and the United States has tried to retrieve those remaining. In February 2002, the Afghan government found and returned to the United States "dozens" of Stingers.<sup>52</sup> Estimates in the press say about 50-70 Stingers remain unaccounted for.

In the aftermath of the Soviet withdrawal from Afghanistan, the United States had tried to retrieve the at-large Stingers.<sup>53</sup> Iran bought 16 of the missiles in 1987 and fired one against U.S. helicopters; some reportedly were transferred to Lebanese Hizballah, according to press reports in January 2002. India claimed that it was a Stinger, supplied to Islamic rebels in Kashmir probably by sympathizers in Afghanistan, that shot down an Indian helicopter over Kashmir in May 1999.<sup>54</sup> It was not the Stinger but Soviet-made SA-7 "Strella" man portable launchers that were fired, allegedly by Al Qaeda, against a U.S. military aircraft in Saudi Arabia in June 2002 and against an Israeli passenger aircraft in Kenya on November 30, 2002. Both firings missed their targets. SA-7s have been discovered in Afghanistan by U.S.-led forces, most recently in December 2002.

The practical difficulties of retrieving the weapons had caused this issue to fade from the U.S. agenda for Afghanistan during the 1990s. In 1992, the United States reportedly spent about \$10 million to buy the Stingers back, at a premium, from individual mujahedin commanders. The *New York Times* reported on July 24, 1993, that the buy back effort failed because the United States was competing with other buyers, including Iran and North Korea, and that the CIA would spend about \$55 million in FY1994 in a renewed Stinger buy-back effort. On March 7, 1994, the *Washington Post* reported that the CIA had recovered only a fraction of the at-large Stingers. Many observers speculate that the CIA program retrieved perhaps 50 or 100 of them.

**Mine Eradication.** Land mines laid during the Soviet occupation constitute one of the principal dangers to the Afghan people. The United Nations estimates that 5 -7 million mines remain scattered throughout the country, although some estimates by outside organizations are significantly lower. An estimated 400,000 Afghans have been killed or wounded by land mines. U.N. teams have succeeded in destroying one million mines and are now focusing on de-mining priority-use, residential and commercial property, including land surrounding Kabul. As shown in the U.S. aid

<sup>51</sup> Saleem, Farrukh. "Where Are the Missing Stinger Missiles? Pakistan," *Friday Times*. August 17-23, 2001.

<sup>52</sup> Fullerton, John. "Afghan Authorities Hand in Stinger Missiles to U.S." *Reuters*, February 4, 2002.

<sup>53</sup> Gertz, Bill. "Stinger Bite Feared in CIA." *Washington Times*, October 9, 2000.

<sup>54</sup> "U.S.-Made Stinger Missiles — Mobile and Lethal." *Reuters*, May 28, 1999.

table for FY1999-FY2002, the United States Humanitarian Demining Program was providing about \$3 million per year for Afghanistan demining activities, and the amount has escalated to about \$7 million in the post-Taliban period. Most of the funds go to the HALO Trust, a British organization, and the U.N. Mine Action Program for Afghanistan.

## Providing Resources to the Afghan Government

Since the Soviet invasion, Afghanistan has faced major humanitarian difficulties, some of which deteriorated further under Taliban rule. In addition to 3.6 million Afghan refugees at the start of the U.S.-led war,<sup>55</sup> another 500,000 Afghans were displaced internally even before U.S. military action began, according to Secretary General Annan's April 19, 2001, report on Afghanistan. Many of the displaced persons had fled the effects of a major drought that affected the 85% of the population that directly depends on agriculture. The conflicts in Afghanistan, including the war against the Soviet Union, left about 2 million dead, 700,000 widows and orphans and about one million Afghan children who were born and raised in refugee camps outside Afghanistan. However, over 2.5 million Afghan refugees have returned since January 2002.

A variety of U.N. agencies and non-governmental organizations (NGO's) serve as the vehicles for international assistance to Afghanistan. The U.N. High Commission for Refugees (UNHCR) supervises Afghan refugee camps in Pakistan and Afghan repatriation.

**U.S. Assistance.** The United States had become the largest single provider of assistance to the Afghan people, even before the crisis triggered by the September 11, 2001 attacks. In 1985, the United States began a cross-border aid program for Afghanistan, through which aid was distributed in Afghanistan, via U.S. aid workers in Pakistan. However, citing budgetary constraints and the difficulty of administering a cross-border program, there was no USAID mission for Afghanistan after the end of FY1994, and U.S. aid has been provided through various channels, mostly U.N. agencies and NGO's.

Primarily because of a drought and the widely publicized suffering of the Afghan people, U.S. aid to the Afghan people in FY2001 greatly exceeded that provided in FY2000 or FY1999, but no U.S. assistance went directly to the Taliban government. **Table 1** breaks down FY1999-FY2002 aid by program. For a history of U.S. aid to Afghanistan prior to 1999 (FY1978-FY1998), see **Table 3**.

**Post-Taliban.** On October 4, 2001, in an effort to demonstrate that the United States had an interest in the welfare of the Afghan people and not just the defeat of the Taliban, President Bush announced that humanitarian aid to the Afghan

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<sup>55</sup> About 1.5 million Afghan refugees were in Iran; 2 million in Pakistan; 20,000 in Russia; 17,000 in India, and 9,000 in the Central Asian states.

people would total about \$320 million for FY2002. After the fall of the Taliban, at a donors' conference in Tokyo during January 20-21, 2002, the United States pledged \$296 million in reconstruction aid for Afghanistan for FY2002. The amounts provided for FY2002 are listed in the table; the figures include both humanitarian and reconstruction aid, totaling over \$815 million for FY2002, which includes Foreign Military Financing (FMF) funds devoted to the establishment and training of the Afghan National Army.

The conference report on the FY2002 foreign aid appropriations (H.Rept. 107-345, P.L. 107-115) contained a sense of Congress provision that the United States should contribute substantial humanitarian assistance to Afghanistan, although no dollar figures were mentioned. The conference report on an FY2002 supplemental appropriations (H.R. 4775, H.Rept. 107-480, P.L. 107-206) recommended \$134 million in additional aid to Afghanistan. (For more information, including on aid to help Afghan civilian victims of U.S. airstrikes, see CRS Report RL31406, *Supplemental Appropriation for FY2002: Combating Terrorism and Other Issues*, by Amy Belasco and Larry Nowels.)

**Afghanistan Freedom Support Act of 2002.** An authorization bill, S. 2712, the Afghanistan Freedom Support Act of 2002, was passed by the Senate on November 14 and by the House on November 15, and signed on December 4, 2002 (P.L. 107-327). It authorizes the following:

- \$60 million in total counter-narcotics assistance (\$15 million per year for FY2003-FY2006);
- \$30 million in assistance for political development, including national, regional, and local elections (\$10 million per year for FY2003-FY2005);
- \$80 million total to benefit women and for Afghan human rights oversight (\$15 million per year for FY2003-FY2006 for the Afghan Ministry of Women's Affairs, and \$5 million per year for FY2003-2006 to the National Human Rights Commission of Afghanistan);
- \$1.7 billion in humanitarian and development aid (\$425 million per year for FY2003-FY2006);
- \$300 million for an Enterprise Fund;
- \$300 million in draw-downs of defense articles and services for Afghanistan and regional militaries; and
- \$1 billion (\$500 million per year for FY2003-FY2004) to expand ISAF if such an expansion takes place.

The total authorization, for all categories for all years, is \$3.47 billion.

**FY2003.** The Administration provided about \$820 million in assistance to Afghanistan in FY2003, close to the pledge announced on March 17, 2003, at a donors forum for Afghanistan, held in Brussels. As part of the FY2003 program, the United States spent \$100 million on road reconstruction, as part of an international pledge of \$180 million, primarily for the Kabul-Qandahar road. **Table 2** covers FY2003 aid as appropriated. The FY2003 foreign aid appropriations, contained in P.L. 108-7, an omnibus appropriations, stipulated that at least \$295 million in aid be

provided to Afghanistan. Earmarks in that law, as well as in the FY2003 supplemental appropriations (H.R. 1559, P.L. 108-11), are included in the table.

**FY2004.** The Administration is providing about \$1.6 billion for Afghanistan in FY2004, in both regular (H.R. 2763, P.L. 108-199) and supplemental appropriations (P.L. 108-106). Table 3 below contains a chart of FY2004 assistance to Afghanistan.<sup>56</sup> As noted, most of the FY2004 were provided in a supplemental appropriation, requested to help accelerate reconstruction and expand the capabilities and effectiveness of the Kabul government. The purposes and results of some of the aid provided in that supplemental are discussed under the issue categories analyzed in the previous sections of this paper.

The FY2004 supplemental request also asked that the \$300 million limit on military drawdowns from DOD stocks enacted in the Afghanistan Freedom Support Act of 2002 (P.L. 107-327) be increased to \$600 million. The FY2004 supplemental conference report increased that level to \$450 million.

**FY2005.** On February 2, 2004, the Administration sent to Congress its proposed budget for FY2005. The \$929 million request for Afghanistan asks for funding in the following categories:

- \$150 million in development assistance (DA), including agriculture (\$45 million), private sector investment (\$31 million), environment (\$28 million), primary education (\$24 million), child and maternal health (\$13 million), reproductive health (\$7 million), and democracy building (\$20 million)
- \$225 million in security assistance (ESF), including assistance to Afghanistan's governing institutions
- \$400 million in FMF for the Afghan National Army
- \$800,000 in International Military Education and Training (IMET) funds to train Afghan officers in democratic values
- \$90 million for police and judicial training and counter-narcotics
- \$17.45 million for non-proliferation, anti-terrorism, de-mining, and related programs, including Karzai protection
- \$24 million for peacekeeping, including salaries of ANA soldiers in training

**Additional Forms of U.S. Assistance.** In addition to providing U.S. foreign assistance, the U.S. Treasury Department (Office of Foreign Assets Control, OFAC) has unblocked over \$145 million in assets of Afghan government-owned banking entities that were frozen under U.S. sanctions imposed on the Taliban in 1999 (see below). These funds have been used by the new government for currency stabilization, not for recurring costs of the interim government. Most of the funds consisted of gold that is held in Afghanistan's name in the United States to back up Afghanistan's currency. Together with its allies, over \$350 million in frozen funds have been released to the new government. In January 2002, the United States

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<sup>56</sup> Much of this section was taken from CRS Report RL31811, *Appropriations for FY2004: Foreign Operations, Export Financing, and Related Programs*.

agreed to provide \$50 million in credit for U.S. investment in Afghanistan, provided by the Overseas Private Investment Corporation (OPIC). On March 7, 2003, OPIC pledged an additional \$50 million, bringing the total line of credit to \$100 million. The United States also has successfully pressed the International Air Transport Association to pay Afghanistan \$20 million in overflight fees that were withheld because of U.N. sanctions on the Taliban. In April 2002, OFAC unblocked \$17 million in privately-owned Afghan assets.

**World Bank/Asian Development Bank.** In May 2002, the World Bank reopened its office in Afghanistan after twenty years and, on March 12, 2003, it announced a \$108 million loan to Afghanistan, the first since 1979. In August 2003, the World Bank agreed to lend Afghanistan an additional \$30 million to rehabilitate the telecommunications system, and \$30 million for road and drainage rehabilitation in Kabul.

The Asian Development Bank (ADB) has been playing a major role in Afghanistan. Since December 2002, the bank has loaned Afghanistan \$372 million of road reconstruction, fiscal management and governance, and agricultural development. The Bank has also granted Afghanistan about \$90 million for power projects, agriculture reform, roads, and rehabilitation of the energy sector.

**International Reconstruction Pledges.** Common estimates of reconstruction needs run up to about \$10 billion. At the Tokyo donors' conference, mentioned above, the following international reconstruction pledges were announced: European Union - \$495 million in 2002; Japan - \$500 million over the next 30 months; Germany - \$362 million over the next four years; Saudi Arabia - \$220 million over the next three years; Iran - \$560 million over the next five years; Pakistan - \$100 million over the next five years; India - a \$100 million line of credit; South Korea - \$45 million over 30 months; and United Kingdom - \$86 million in 2002. Total pledges in Tokyo for reconstruction amounted to \$2 billion for 2002 and \$4.5 billion over the next five years. Of the amounts pledged for 2002, about \$2 billion was spent or received. In March 2003, the EU announced a \$410 million donation for 2003-2004. This is in addition to its contribution, noted above, for 2002.

During March 31 - April 1, 2004, international donors met in Berlin and pledged \$8.2 billion for Afghanistan for 2004-2006, of which about \$4.5 billion is to be provided in 2004. The United States committed about \$2.9 for the whole period, which includes the \$1.2 billion planned for U.S. FY2005.<sup>57</sup> Afghan leaders had said before the meeting that Afghanistan needs \$27.5 billion for reconstruction over the next seven years, but they said they were satisfied with the Berlin outcome. Other pledges for 2004-2006 included European Union (\$2.2 billion); Canada (200 million); Japan (\$400 million); World Bank loans (\$900 million); Asia Development Bank loans (\$560 million); India (\$225 million), and Iran (\$155 million).

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<sup>57</sup> Afghanistan's Top Donors To Pledge Nine Billion Dollars - Report. *Agence France Presse*, March 11, 2004.

**Domestically Generated Funds.** Obtaining control over revenues has been a key U.S. and Kabul goal. In May 2003, Karzai threatened to resign if the regional governors did not remit some of their privately collected customs revenue to the central government. Twelve regional leaders did so, subsequently remitting nearly \$100 million to Kabul. Kabul raised internally about \$200 million of its \$600 million budget for 2003, the rest provided by international donors. Karzai has sought to reassure international donors by establishing a transparent budget and planning process.

**Table 1. U.S. Aid to Afghanistan in FY1999-FY2002**  
(\$ in millions)

	FY1999	FY2000	FY2001	FY2002 (Final)
U.S. Department of Agriculture (DOA) and USAID Food For Peace (FFP), via World Food Program(WFP)	\$42.0 worth of wheat (100,000 metric tons under “416(b)” program.	\$68.875 for 165,000 metric tons. (60,000 tons for May 2000 drought relief)	\$131.0 (300,000 metric tons under P.L.480, Title II, and 416(b))	\$198.12 (for food commodities)
State/Bureau of Population, Refugees and Migration (PRM) via UNHCR and ICRC	\$16.95 for Afghan refugees in Pakistan and Iran, and to assist their repatriation	\$14.03 for the same purposes	\$22.03 for similar purposes	\$136.54 (to U.N. agencies)
State Department/ Office of Foreign Disaster Assistance (OFDA)	\$7.0 to various NGO's to aid Afghans inside Afghanistan	\$6.68 for drought relief and health, water, and sanitation programs	\$18.934 for similar programs	\$113.36 (to various U.N. agencies and NGO's)
State Department/HDP (Humanitarian Demining Program)	\$2.615	\$3.0	\$2.8	\$7.0 to Halo Trust/other demining
Aid to Afghan Refugees in Pakistan (through various NGO's)	\$5.44 (2.789 for health, training - Afghan females in Pakistan	\$6.169, of which \$3.82 went to similar purposes	\$5.31 for similar purposes	
Counter-Narcotics			\$1.50	\$63.0
USAID/ Office of Transition Initiatives			\$0.45 (Afghan women in Pakistan)	\$24.35 for broadcasting/media
Dept. of Defense				\$50.9 ( 2.4 million rations)
Foreign Military Financing				\$57.0 (for Afghan national army)
Anti-Terrorism				\$36.4
Economic Support Funds (E.S.F)				\$105.2
Peacekeeping				\$24.0
<b>Totals</b>	<b>\$76.6</b>	<b>\$113.2</b>	<b>\$182.6</b>	<b>\$815.9</b>

**Table 2. U.S. Aid to Afghanistan, FY2003**  
(\$ in millions, same acronyms as above table)

<b>From the FY2003 Foreign Aid Appropriations (P.L. 108-7)</b>	
Child Survival Programs	\$50
Development Assistance	\$40.5
Transition Initiatives	\$10
International Disaster Assistance	\$85
ESF	\$50
Non-Proliferation, Demining, Anti-Terrorism (NADR)	\$5
Migration and Refugee Assistance	\$50
Total from this law:	\$290.5
<b>From the FY2003 Supplemental (P.L. 108-11)</b>	
ESF	\$167 (\$100 million for Kabul-Qandahar road; \$10 million for provincial reconstruction teams; and \$57 million for operational support to Afghan government)
FMF	\$335 (\$165 million to reimburse DOD for monies already spent to train Afghan national army; \$170 in new FMF to train Afghan national army)
Security for AID work	\$24.5 (Almost all for work in Afghanistan)
Total from this law:	\$526.5 (approx.)
<b>Total for FY2003:</b>	<b>\$817</b>

**Table 3. U.S. Assistance to Afghanistan, FY2004**  
(\$ in millions, same acronyms as previous tables)

<b>From the FY2004 Supplemental (P.L. 108-106)</b>	
Disarmament, Demobilization, and Reintegration (DDR program)	\$30
Support to Afghan government	\$70
Elections/governance	\$69
Roads	\$181
Schools/Education	\$95
Health Services/Clinics	\$49
Provincial Reconstruction Teams (PRTs)	\$58
Private Sector/Power Generation	\$95
Water Projects	\$23
Police Training/Rule of Law	\$170
Afghan National Army (training/equipment)	\$287
Anti-Terrorism/Afghan Leadership Protection	\$35
<b>Total from this law:</b>	<b>\$1,164</b>
<b>From the FY2004 Regular Appropriation (P.L. 108-199)</b>	
Development/Health	\$171
Disaster Relief	\$35
Refugee Relief	\$72
Economic Aid/ESF	\$75 (includes earmarks of \$2 million for reforestation; \$2 million for the Afghan Judicial Reform Commission; \$5 million for Afghan women; and \$2 million for aid to communities and victims of U.S. military operations)
Military Assistance	\$50
<b>Total from this law:</b>	<b>\$403</b>
<b>Total for FY2004</b>	<b>\$1,565</b>

**Table 4. U.S. Assistance to Afghanistan, FY1978-1998**

Fiscal Year	Devel. Assist.	Econ. Supp. (ESF)	P.L. 480 (Title I and II)	Military	Other (Incl. Regional Refugee Aid)	Total
1978	4.989	—	5.742	0.269	0.789	11.789
1979	3.074	—	7.195	—	0.347	10.616
1980	—	(Soviet invasion - December 1979)				—
1981	—	—	—	—	—	—
1982	—	—	—	—	—	—
1983	—	—	—	—	—	—
1984	—	—	—	—	—	—
1985	3.369	—	—	—	—	3.369
1986	—	—	8.9	—	—	8.9
1987	17.8	12.1	2.6	—	—	32.5
1988	22.5	22.5	29.9	—	—	74.9
1989	22.5	22.5	32.6	—	—	77.6
1990	35.0	35.0	18.1	—	—	88.1
1991	30.0	30.0	20.1	—	—	80.1
1992	25.0	25.0	31.4	—	—	81.4
1993	10.0	10.0	18.0	—	30.2	68.2
1994	3.4	2.0	9.0	—	27.9	42.3
1995	1.8	—	12.4	—	31.6	45.8
1996	—	—	16.1	—	26.4	42.5
1997	—	—	18.0	—	31.9*	49.9
1998	—	—	3.6	—	49.14**	52.74

**Source:** U.S. Department of State.

\* Includes \$3 million for demining and \$1.2 million for counternarcotics.

\*\* Includes \$3.3 million in projects targeted for Afghan women and girls, \$7 million in earthquake relief aid, 100,000 tons of 416B wheat worth about \$15 million, \$2 million for demining, and \$1.54 for counternarcotics.

## Lifting of U.S. and International Sanctions

Shoring up a post-Taliban government of Afghanistan with financial and other assistance has required waivers of restrictions or the permanent modification of U.S. and U.N. sanctions previously imposed on Afghanistan. Most of the sanctions discussed below have now been lifted.

- On May 2, 1980, Afghanistan was deleted from the list of designated beneficiary countries under the U.S. Generalized System of Preferences (GSP), denying Afghanistan's exports duty free treatment, by Executive Order 12204 (45 F.R. 20740). This was done under the authority of Section 504 of the Trade Act of 1974, as amended [P.L. 93-618; 19 U.S.C. 2464]. *On January 10, 2003, the President signed a proclamation making Afghanistan a beneficiary of GSP, eliminating U.S. tariffs on 5,700 Afghan products.*
- On June 3, 1980, as part of the sanctions against the Soviet Union for the invasion of Afghanistan, the United States imposed controls on exports to Afghanistan of agricultural products, oil and gas exploration and production equipment, and phosphates. This was implemented at 15 CFR Part 373 et seq (45 F.R. 37415) under the authority of Sections 5 and 6 of the Export Administration Act of 1979 [P.L. 96-72; 50 U.S.C. app. 2404, app. 2405]. On April 24, 1981, these sanctions were modified to terminate controls on U.S. exports to Afghanistan of agricultural products and phosphates.
- In mid-1992, the George H.W. Bush Administration determined that Afghanistan no longer had a "Soviet-controlled government." This opened Afghanistan to the use of U.S. funds made available for the U.S. share of U.N. organizations that provide assistance to Afghanistan.
- On October 7, 1992, President George H.W. Bush issued Presidential Determination 93-3 that Afghanistan is no longer a Marxist-Leninist country. The designation as such a country had prohibited Afghanistan from receiving Export-Import Bank guarantees, insurance, or credits for purchases under Sec. 8 of the 1986 Export-Import Bank Act, which amended Section 2(b)(2) of the Export-Import Bank Act of 1945 (P.L. 79-173, 12 U.S.C. 635). However, President George H.W. Bush's determination was not implemented before he left office.
- President George H.W. Bush's October 7, 1992 determination (93-3) also found that assistance to Afghanistan under Section 620D of the Foreign Assistance Act is in the national interest of the United States because of the change of regime in Afghanistan. The presidential determination, had it been implemented in regulations, would have waived restrictions on assistance to Afghanistan provided for in the act, as amended [P.L. 87-195; 22 U.S.C. 2374]; as added by Section 505 of the International Development

Cooperation Act of 1979 [P.L. 96-53]. These provisions prohibit foreign assistance to Afghanistan until it apologizes for the death of U.S. Ambassador to Afghanistan Adolph Dubs, who was kidnapped in Kabul in 1979 and killed when Afghan police stormed the hideout where he was held, unless the President determines that such assistance is in the national interest because of changed circumstances in Afghanistan. *The restrictions on U.S. aid to the government of Afghanistan have been lifted in light of the change of government there.*

- Section 552 of the Foreign Assistance Appropriations for FY1986 [P.L. 99-190] authorized the President to deny any U.S. credits or most-favored-nation (MFN) tariff status for Afghanistan. Under that law, on February 18, 1986, the height of the Soviet occupation, President Reagan had issued Presidential Proclamation 5437, suspending (MFN) tariff status for Afghanistan (51 F.R. 4287). *On May 3, 2002, President Bush restored normal trade treatment to the products of Afghanistan.*
- On March 31, 1993, President Clinton, on national interest grounds, waived restrictions provided for in Section 481 (h) of the Foreign Assistance Act of 1961, as amended [P.L. 87-195]; as amended and restated by Section 2005(a) of the Anti-Drug Abuse Act of 1986 [P.L. 99-570]. The waiver was renewed in 1994. Mandatory sanctions include bilateral aid cuts and suspensions, including denial of Ex-Im Bank credits; the casting of negative U.S. votes for multilateral development bank loans; and a non-allocation of a U.S. sugar quota. Discretionary sanctions included denial of GSP; additional duties on country exports to the United States; and curtailment of air transportation with the United States. *On February 25, 2002, President Bush waived restrictions on FY2002 aid to Afghanistan under this Act.*
- On June 14, 1996, Afghanistan was formally added to the list of countries prohibited from receiving exports or licenses for exports of U.S. defense articles and services. This amended the International Traffic in Arms Regulations (22 CFR Part 121 et seq.) under the authority of Section 38 of the Arms Export Control Act, as amended (P.L. 90-629; 22 U.S.C. 2778) by adding Afghanistan at Section 126.1 of 22 CFR Part 126. *On July 2, 2002, the State Department amended U.S. regulations (22 CFR Part 126) to allow arms sales to the new Afghan government.*
- In a ruling largely redundant with the one above, on May 15, 1997, the State Department designated Afghanistan under the Antiterrorism and Effective Death Penalty Act of 1996 (P.L. 104-132), as a state that is not cooperating with U.S. anti-terrorism efforts. The designation, made primarily because of Taliban's harboring of bin Laden, makes Afghanistan ineligible to receive U.S. exports of items on the U.S. Munitions List. The designation was

repeated every year since 1997. *Afghanistan was deleted from the list of non-cooperative states when the list was reissued on May 15, 2002, thereby eliminating this sanction on Afghanistan.*

- On July 4, 1999, the President declared a national emergency with respect to Taliban because of its hosting of bin Laden, and issued Executive Order 13129 that imposed sanctions. The sanctions include the blocking of Taliban assets and property in the United States, and a ban on U.S. trade with Taliban-controlled areas of Afghanistan. On August 10, 1999, the Administration determined that Ariana Afghan Airlines was a Taliban entity. That determination triggered a blocking of Ariana assets (about \$500,000) in the United States and a ban on U.S. citizens' flying on the airline. *On January 29, 2002, the State Department issued a determination that the Taliban controls no territory within Afghanistan, thus essentially ending this trade ban. On July 2, 2002, President Bush formally revoked this executive order.*
- On October 15, 1999, the U.N. Security Council adopted Resolution 1267; on December 19, 2000, it adopted U.N. Security Council Resolution 1333, imposed a number of new sanctions against the Taliban. For the provisions of these sanctions, see the section on the harboring of bin Laden. *As noted, these sanctions were narrowed to penalize only Al Qaeda by virtue of the adoption of U.N. Security Council Resolution 1390 of January 17, 2002.*

## Promoting Long-Term Economic Development

In an effort to find a long-term solution to Afghanistan's acute humanitarian problems, the United States has, when feasible, tried to promote major development projects as a means of improving Afghan living standards and political stability over the long term. During 1996-98, the Administration supported proposed natural gas and oil pipelines through western Afghanistan as an incentive for the warring factions to cooperate. One proposal by a consortium led by Los Angeles-based Unocal Corporation<sup>58</sup> was for a Central Asia Oil Pipeline (CAOP) that would originate at the Turkmenistan-Uzbekistan border and extend through the western region of Afghanistan to Pakistan. A \$2.5 billion Central Asia Gas Pipeline (CentGas) would originate in southern Turkmenistan and pass through Afghanistan to Pakistan, with possible extensions into India.

The deterioration in U.S.-Taliban relations after 1998 largely ended hopes for the pipeline projects while the Taliban was in power. Immediately after the August 20, 1998 U.S. strikes on bin Laden's bases in Afghanistan, Unocal suspended all its Afghan pipeline-related activities, including a U.S.-based training program for

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<sup>58</sup> Other participants in the Unocal consortium include Delta of Saudi Arabia, Hyundai of South Korea, Crescent Steel of Pakistan, Itochu Corporation and INPEX of Japan, and the government of Turkmenistan. Some accounts say Russia's Gazprom would probably receive a stake in the project. Moscow Nezavisimaya Gazeta, October 30, 1997. Page 3.

Afghans who were expected to work on the project. With few prospects of improved U.S. relations with Taliban, Unocal withdrew from its consortium in December 1998. Saudi Delta Oil was made interim project leader, although Delta lacked the financing and technology to make the consortium viable. The rival consortium led by Bridas of Argentina reportedly continued to try to win approval for its proposal to undertake the project.

Prospects for the project have improved in the post-Taliban period. In a summit meeting in late May 2002 between the leaders of Turkmenistan, Afghanistan, and Pakistan, the three countries agreed to revive the gas pipeline project. Sponsors of the project held an inaugural meeting on July 9, 2002 in Turkmenistan, signing a series of preliminary agreements. However, financing for the project is unclear.

**Table 5: Major Factions in Afghanistan**

<b>Party/Commander</b>	<b>Leader</b>	<b>Ideology/ Ethnicity</b>	<b>Power Base</b>
Taliban	Mullah (Islamic cleric) Muhammad Umar	ultra-orthodox Islamic, Pashtun	Small opposition groups, mostly in the south and east. No official presence in government.
Islamic Society (dominant party in the “Northern Alliance”)	Burhannudin Rabbani (political leader), Muhammad Fahim (Vice President/Defense Minister)	moderate Islamic, mostly Tajik	Much of northern and western Afghanistan, including Kabul.
Ismail Khan (part of Islamic Society/Northern Alliance)	Ismail Khan	Tajik	Herat Province and environs; Khan’s son in cabinet.
Eastern Shura (loosely allied with Northern Alliance)	No clear leader, after death of Abdul Qadir; son succeeded him as Jalalabad governor	moderate Islamic, Pashtun	Jalalabad and environs; Qadir was vice president.
National Islamic Movement of Afghanistan (part of Northern Alliance)	Abdul Rashid Dostam	secular, Uzbek	Mazar-e-Sharif and environs; Dostam was deputy defense minister in interim government.
Hizb-e-Wahdat (part of Northern Alliance)	Karim Khalili (a Vice President)	Shiite, Hazara tribes	Bamiyan province.
Pashtun Leaders	Various leaders; Afghan government headed by Hamid Karzai. Yusuf Pashtun is governor of Qandahar province	mostly conservative Islamic, Pashtun	Southern Afghanistan, including Qandahar.
Hizb-e-Islam Gulbuddin (HIG)	Mujahedin party leader Gulbuddin Hikmatyar	orthodox Islamic, Pashtun	Small opposition groups around Jalalabad and in the southeast. Allied with Taliban/Al Qaeda
Al Qaeda	Osama bin Laden	radical Islamic, mostly Arab	Possible terrorist cells in east and southeast
Islamic Union	Abd-i-Rab Rasul Sayyaf	orthodox Islamic, Pashtun	Sayyaf politically allied with Rabbani

## Map of Afghanistan



Source: Map Resources. Adapted by CRS. (1/03 M.Chin)